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CORRESPONDENCE

ON SOME OF THE

GENERAL EFFECTS OF THE FAILURE

OF THE

POTATO CROP,

AND THE CONSEQUENT RELIEF MEASURES,

WITH SUGGESTIONS AS TO THE

RE-CONSTRUCTION OF THE POOR LAW ELECTORAL OR
RATEABLE DIVISIONS,

AS A MEANS OF ARRESTING THE IMPENDING NATIONAL
DANGERS, BY SUBSTITUTING REPRODUCTIVE
ENTERPRISE AND INDUSTRY FOR
ALMSGIVING.

BY

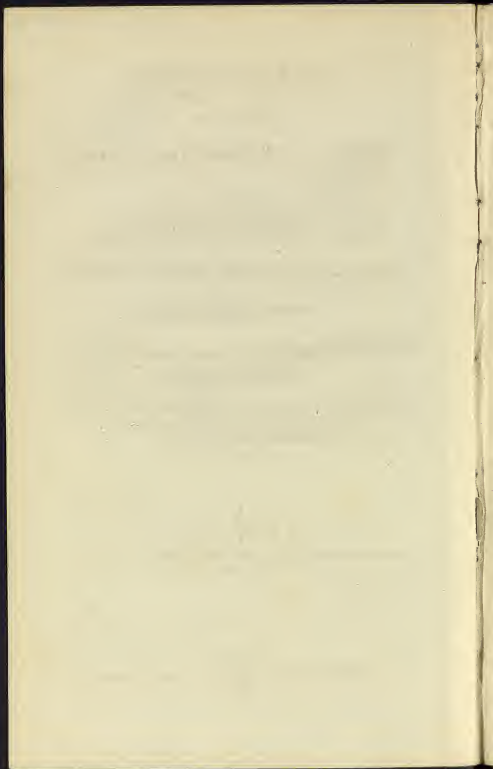
J. P. KENNEDY,

FORMERLY AN OFFICER OF THE CORPS OF ROYAL ENGINEERS, AND LATE SECRETARY
OF THE LAND AND RELIEF COMMISSIONS.

DUBLIN :

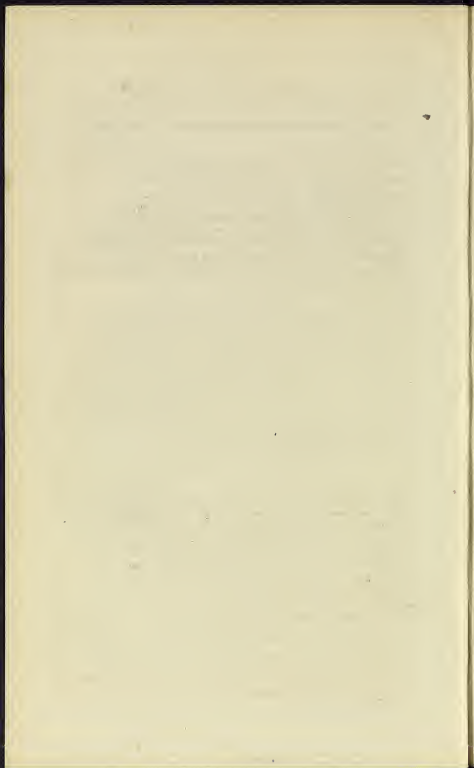
PRINTED BY ALEXANDER THOM, 87, ABBEY-STREET.

1847.



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No. I.

REPORT and SUGGESTIONS, addressed to the Irish Government in November, 1845, in reference to the mode of meeting the evils attending the failure of the Potato Crop of that year.

AMONGST the conflicting opinions put forth, as to the extent of damage affecting the principal food of the population of Ireland, and at this period of the year, when the injury is still liable to become much more extensive, it is evidently impossible to make any precise, or even proximate, estimate as to what may be its final result. But it is most essential to provide against the worst that can happen, by the adoption of a broad principle, that shall be adequate to meet the evil in its highest possible degree.

The question is, can this be done without adding to the embarrassments of either the nation or of individuals? I believe that it can, at least, if the deficiency of food in the Irish market can be supplied by importation; or, in other words, I am convinced that the means of purchasing food can be provided for the population without having recourse either to a considerable gratuitous charity, or to a very large investment of funds in merely public works, that cannot produce an immediate and direct return. I hold, that if either of these methods be adopted, to the extent that a serious destruction of the potato crop in Ireland might require, an investment of great magnitude would be requisite, of funds that could not bring back any direct immediate return—the amount expended in charity being absolutely sunk, and the amount expended in judicious public works only giving an indirect return at some future and uncertain time.

I shall assume that the disease may extend to a very great degree, and that the effect might be, to leave the whole number of occupiers of land, holding twenty acres and under, without their supply of potatoes during six months of the ensuing year; that the means of purchasing other food to supply this deficiency must, by some method or other, be furnished to them; assuming, also, that the larger holders could meet the pressure upon them for one year out of their own resources. The total number of tenements in Ireland, as taken from the Poor Law Commissioners' Returns, appears to be 935,448, of which 690,000 are of various sizes, not exceeding twenty acres. We may assume that each family on these latter tenements would consume half a measure, or four stones of potatoes per day, making a total daily consumption of 345,000 measures, which, multiplied by 180 days, and valued at 1s. per measure, would amount to £3,105,000 worth of potatoes, to be replaced by other food of a more costly description. But the effect of such an increased demand would probably be, to increase the price of all other food; and we may assume that it would require nearly double this sum, or say £6,000,000, to furnish the families

thus left unsupplied. Any thing approaching to so large an amount would be a serious consideration, supposing it to be levied by taxation, either for charity or for public works. But it could be no inconvenience whatever if even a much larger sum were applied to the support of the people in such a crisis, on any distinct principle that shall enable them to refund it, with great profit to themselves, and without either taxation or loss to any one.

Before proceeding further, it is requisite to examine whether the 690,000 families here estimated as those that may require assistance, are likely to have time disposable to earn the requisite amount from such a fund for their subsistence by labour on their farms, or elsewhere, and not connected with the sowing or harvesting of the ensuing year's crop, but without interfering with those requisite operations.

We may calculate that the slack season of this winter, after the potatoes are dug, added to the slack season of next spring and summer, after the crop is in the ground, would be about five months that might be employed at work not connected with the year's crop. This would give about 130 working days, or, allowing for wet weather, say 100 days; and allowing £3 an acre for finished thorough drains, placed 21 feet apart, we may calculate on each man, in the 100 days, executing two acres, and therefore earning £6.

Supposing the families to average five individuals, the six months' consumption of potatoes that we have already assumed as the maximum deficiency, at four stones per day per family, and costing 1s. per measure, would amount to £4 10s. per family; and as we have already assumed that the more costly kind of food, selling at advanced rates, might make the food substituted cost nearly double this rate, we find that the sum to be made up for each family, under this calculation, would be about £9. The work therefore of one man, during the slack season, would not be sufficient to support the family. But we may certainly assume that the assistance which one man would, in average families, receive from the other members, would be equal to one-half the work of a second able-bodied man; and the average earnings of the family, under this view, would amount to £9, or the sum required.

In making the foregoing calculation, which contemplates the possibility of several millions of money being required as a maximum, it must be kept in mind, that there can be no necessity for providing any such large amount long beforehand. It may possibly turn out that no assistance may be required; and the precise amount to be provided periodically, from week to week, or from month to month, would depend upon the progress of events, and the exigencies that may arise as the season advances.

The only manner in which an extensive investment can be made upon a reproductive principle, to meet such an evil as now threatens, is by the close and earnest co-operation of the great classes of employers and employed, which in this country are the land proprietors, tenants, and labourers; and the impending peril offers a crisis well calculated to promote this co-operation which has unfortunately of late years been much wanting. If, I repeat, the circumstances of the

present moment be properly used, the land proprietor may incontrovertibly prove that he is the friend of the tenant, and thereby cement his affections. The Government may, with equal force, prove their ability and inclination to provide for the interests of the country, and thereby strengthen and secure the loyalty of the people and the vigour of the empire. The indispensable reunion of all those classes which have been placed in a most destructive hostility to each other, will be effected. The danger now impending will be averted, and in its place will be established those principles that are best calculated to prevent its recurrence at any future time.

The uneasiness that we now suffer is not a new case; we have been subject to it in a greater or less degree for many years; and we must continue exposed to it in future, unless a broad view be taken of the case, and an ample remedy be applied to meet it.

The great source of evil is, first, that the mass of the population is mainly dependent for food upon one crop, and that an extremely fickle one, liable to failure as well in its growth as in its after preservation. Secondly, that the mass of the lands are unfitted in their present state for the production of other crops as substitutes for this fickle crop.

The usual method of cultivating the potato in Ireland, in beds or ridges, provides for this one crop a most minute drainage of the land. In fact, the mere operations of planting and shovelling the crop, furnish, without any special expenditure for drainage, a system of parallel drains only four feet distant from each other, and occupying one-third of the total area of every potato field. For the successive crops, the ridges are levelled down and the drains filled in, leaving those crops to struggle for existence amidst unwholesome and stagnant moisture. The consequence is, that even in the wettest lands we frequently find excellent crops of potatoes, succeeded by a scanty or inferior class of grain and grasses.

It is a most unfortunate circumstance, that although a survey and several valuations of Ireland have been made by different public departments, we are yet without any definite return as to the lands in Ireland actually requiring permanent drainage, in order to fit them for general tillage; but there is no question that the great mass of the land throughout the country requires this operation; and it would be absolute folly to urge the expulsion or even the diminution of the fickle and much reprobated potato crop, which the land in its present state can yield, unless we can first put the latter in a state which shall qualify it to yield those other crops that we would prefer. If, however, we can effect this desirable change in the condition of the lands, we shall be justified in recommending substitutes; and we shall be attentively listened to by the farmers, after the many losses they have experienced in former years, and especially after this year's proof of the danger attending an extensive dependence on the potato crop.

This change would consist in the judicious application of the improved principle of drainage, to every acre in Ireland that would admit of it with profit. All the credible and intelligent authorities we possess on the subject, agree that investments properly effected for this purpose, give the most certain, the most immediate, and the

largest returns that are known in the whole range of ordinary and legitimate enterprises.

There are few practically acquainted with the subject, who do not admit that the whole cost of thorough-draining may be returned by the increased produce from the first crop, or from the first two crops, or from the first three crops, after the outlay has been incurred, making the remuneration thus, 100 per cent., or 50 per cent., or 33 per cent. per annum on the investment, as the case may be. Here then we find at each of our doors the richest mine in existence if we choose to work it; and one of which the working will produce, in addition to the direct profit, enormous collateral advantages, both social, moral, and physical, extending to every family in the community. Under such circumstances, how can the country be exposed to danger or suffering from an infliction such as now threatens? It is impossible, unless we assume all the parties interested—whether the Government, the land proprietors, the farmers, or the labourers—to be inert, and forgetful of their respective interests to an extent, of which the world has yet seen no parallel. It is true that the successful accomplishment of what is here contemplated, requires the co-operation of these several parties; but can it be imagined that where the object is to avert present famine, and to create a permanent national improvement, as well as an improvement in the future condition of every individual interested in the land, where all are interested, and the mass are indigent—is it possible to imagine that such a co-operation can be withheld; can the alienation and errors infused among classes be so great, that they will perish rather than follow their concurrent interests!!!

Providence has not been unmindful of us in this contingency; and it happens, that in the last session of Parliament, an Act was passed which renders plain and simple the course to be pursued. That Act provides that the cost of improving lands by drainage may be established as a first charge, prior to all incumbrances upon estates, to be liquidated by annual instalments in a period of eighteen years. There is but one slight difficulty in this Act as regards its application to the present circumstances, and with reference to embarrassed proprietors, who might feel it inconvenient to make the temporary advance which in some cases their tenants might require, previous to the examination and passing of the work by the court, authorizing the loan and consequent charge.

This can probably be met. The high rate of profit on these undertakings proves, that in giving this priority the legislature were not forgetful of the interests either of the incumbrancer or remainderman, as their security is largely increased, even during the first year, whilst the whole prior charge for the improvement is in existence, and that increase of security is annually augmented as each instalment of the drainage charge becomes liquidated.

This principle, alike equitable, comprehensive, and applicable to our case, is the law; and it only requires that it should be judiciously and extensively used, in order to effect the most rapid and beneficial change that ever occurred in any country. If it be so used, that which has been looked upon hitherto with so much alarm, will hereafter be regarded as an event calling forth our

gratitude and congratulation; but it will require the most active co-operation of the several parties above cited, to effect such a change. The Government have two functions to fulfil in this crisis—first, to facilitate the borrowing of the money at a low, but safe rate of interest, upon the security of the lands, as contemplated by the Act, taking care that it is doled out to the land proprietor in small sums of, say, £200 at a time, each of which shall be accounted for as properly expended before a further advance be made. The second, to promote the immediate training of a large number of intelligent men in the operation of laying out and superintending the construction of thorough drains, that every proprietor who is unprovided with a steward or overseer may be at once supplied. A few companies of the corps of Royal Sappers and Miners would, by a short course of training, be made most efficient superintendents of these works, owing to their analogy with the usual operations of the corps; and their officers, from the corps of Royal Engineers, could supply efficient assistance for the time in the way of additional directors of public works. But assuredly some broad provision of this nature is required to be made by the Government, in order to meet the lamentable deficiency in this country, of men capable of laying out and conducting accurate operations. The land proprietor having made his arrangement for the laying out and superintendence of the work, makes his bargain with each tenant as to the acreable rate he is to receive upon its satisfactory completion, and the rate of interest he is to pay on such amount in addition to his rent, and calculated so as to meet the annual instalment, for which the proprietor becomes liable on his account; and the annuity so calculated to pay up the principle and interest in eighteen years, as required by the Act, would not probably much exceed 7 per cent. on the outlay, leaving a beneficial interest to the tenant of 93, or 43, or 26 per cent. annually upon the same outlay, and he having been supported during this year of difficulty by the expenditure so made in improving his farm.

This method of meeting the pressure of the approaching season is unlike all others. It would not consist in doling out the smallest amount of charity that would keep people alive; but, on the contrary, the feeling would be, that the larger the judicious disbursement was, the greater would be the amount of benefit to all parties.

In upholding the principle of supporting the people by the drainage of their own farms, rather than by public works, we wish to be most clearly understood not by any means to imply, that the latter class of expenditure, to a liberal amount, is not urgently called for. What we maintain is, first, that to alienate the whole labour of the country from the improvement of the farms to public works, would in itself have an injurious tendency, as regards the future; and secondly, that the main class of expenditure, under the circumstances, should be of the nature we have described, because millions may in this way be profitably invested, so as to give the immediate means of commencing to refund the amount required. But we would urge most strenuously a simultaneous expenditure for public works. We go further, and maintain that it is essential to the full

development of the private expenditure proposed. It may, in many cases, be impossible to effect the farm drainage of particularly circumstanced districts, until rivers or main drains have been prepared or deepened.

It is also desirable that a public expenditure should be incurred for the opening of waste districts, by means of roads, in order to facilitate the further consolidation of holdings in over-populous districts, up to a size that will give the means of existence to their occupiers; and this process cannot be effected with any pretence to humanity, unless we can accommodate upon waste-land-holdings the families whose removal this arrangement would produce.

The opportunity and necessities of the ensuing season should be seized by the Government to effect much good in this way in every district where inaccessible improvable waste land exists, as in

Mayo, say 100 miles of road should be opened during the	
next year, at £100 per mile,	£10,000
Donegal, 100 miles, at £100,	10,000
Galway, say 50 miles,	5,000
Clare, 50 miles,	5,000
Kerry, 50 miles,	5,000
Tyrone, 50 miles,	5,000
Other counties, say 100 miles,	10,000
	<hr/>
	£50,000
Say for general drainage a similar amount,	50,000
	<hr/>
	£100,000

It is probable that, in many instances, proprietors will be ready to contribute one-half the cost of that portion of the outlay required for making roads through waste land in their own property; but the completion of so important an undertaking ought not to be left dependent on any uncertain contingency. It would not be judicious to throw the cost upon the baronies where this class of work is required, as they are generally in a backward and destitute state, ill able to bear taxation at present; although the effect of these operations will be, to qualify them for contributing largely to the public resources of the country at a future day; and the first cost of such improvements is a legitimate charge against the general treasury of the country, the first advantage being one of a general nature—that of affording the means of receiving the surplus population of crowded districts, perhaps far removed even beyond the limits of the county in which such waste districts are situated. The circumstances under which the main drainage should be effected, are quite different from those applicable to the waste-land improvements. The drainage here understood has reference generally to the low and improved districts, as the county of Down, for example, well able to pay for this improvement, which directly enhances the value, and that in a high degree, of these rich lands.

And the existing Act, with reference to this class of work, would be sufficient, if a compulsory power were added to it; but the subject ought not to be left dependent upon any doubtful contingency.

Having adopted the principle, that the requisite fund shall by

some means or other be secured for opening the main drains of the country, and for opening the waste districts by roads, the next step would be, to ascertain the precise localities where these works are wanted, and the precise details of each project; and if the county surveyors are not yet placed in connexion with, or subordinate to, the Board of Works, this difficulty might, in the present case, be met by an order from the Government of Ireland, directing the county surveyors, in each county, to furnish a report under these heads for their respective counties, classed in the order of their importance, and made out according to a form to be prepared by the Board of Works, which should enable that Board to form an accurate opinion upon each project, as regarding its comparative cost and importance.

The broad principle of recommending an active Government aid, in facilitating extensive loans at moderate interest for the object of estate drainage, has been long and strenuously urged by several of the most active benefactors of this country; and, although some cautious economists might possibly dispute the absolute necessity of such an interference, under the ordinary circumstances of the country, there can be no doubt that it should be adopted in the present crisis, where there are the additional arguments, that it would be the means of averting a general famine from the great mass of the labouring classes, and that it would be attended with cost to no one, but with large profit to the nation, as well as the individuals concerned.

* J. P. KENNEDY.

Castle, Dublin, 1st November, 1845.

No. II.

DRAFT of a MANIFESTO suggested for the adoption of the Relief Commissioners, at their first meeting, in 1845, intended to explain to the public, that the principle of Government assistance would be chiefly that of stimulating private exertion, by affording facilities for the improvement and drainage of land, &c.

THE Commissioners established for considering all matters connected with the failure of the potato crop, are desirous of taking the earliest opportunity of explaining their conviction on some of the most essential points connected with this subject.

They believe that it is of the greatest importance to every individual proprietor, occupier, and labourer of land, that the deficiencies anticipated during the ensuing year should be met by increased activity in private reproductive exertions, rather than by any excessive expenditure for either public works or poor-house relief.

Judicious public works up to the point that is necessary to open broadly the way for private enterprise, offer, no doubt, a profitable investment for wealth; but beyond that point they may be considered an unproductive expenditure of money, which must come from the resources of the proprietors and the farming classes themselves, to whatever branch they may belong; whilst the facts distinctly prove that many districts in the country may require relief where no ingenuity could point out or project public works of a nature that could be useful. A large expenditure for poor-house relief, particularly as applicable to the families of able-bodied persons, however requisite such a last resource may be against destitution and starvation, is unquestionably not only unproductive of wealth, but creative of increased destitution and poverty; as the power of applying it can, like the former, only be obtained from the resources of the proprietary and the farming classes of society, taken in their most extended sense.

It is under this conviction that the Commissioners would entreat the immediate and most earnest attention of both the proprietors and farming classes of Ireland to the means within the reach of most of them; and capable of averting the apprehended danger, not only without incurring waste, loss, or increased taxation, but, on the contrary, with the certainty of reaping both present and future profit, advantage, and security.

These means will consist in the immediate and energetic co-operation of the land proprietor and occupier of every farm requiring drainage.

The Commissioners feel assured that the conviction of the high profit attending farm drainage, where requisite, is so generally acknowledged, that they would be justified in omitting further argument as to the advantages attending this class of employment.

They, nevertheless, beg to offer (see Chapter on Drainage, in Digest of Land Commission Evidence) an abstract of most important evidence taken upon the subject, with respect to every district in Ireland, as well as evidence relating to England, similarly abstracted, and other veracious statements on the subject.

They would further suggest, that as all this evidence was given before any apprehension of the present visitation existed, so the arguments in favour of an extensive application of drainage were then light in comparison to their present importance; as after the experience of the present year, the desire of every intelligent man interested in laud, will, naturally, be to diminish the almost exclusive dependence upon the fickle potato crop, which has hitherto characterized the farming of this country; and yet without a preliminary drainage of the lands, many of the most valuable substitutes that would otherwise be available, must continue to be excluded.

In the evidence No. 1, alluded to, it is stated by numerous intelligent witnesses that the increased produce consequent upon judicious farm drainage, returns the cost of its execution in one year's crop, or in two years' crops, or in three years' crops, or in four years' crops, making the return on the investment in these respective cases about 100 per cent., or 50 per cent., or 33 per cent., or 25 per cent. per annum.

Of the extraordinary profit attending these investments, beyond all other methods by which labour can be employed, there can be no doubt.

Of their special importance to Ireland, as a means of relieving the population in future from an exclusive dependence on a most precarious class of food, there can be no doubt.

Of their applicability and convenience in affording a remedy to the suffering and difficulties anticipated during the ensuing year, there can be no doubt, as they give the most profitable class of employment to be found in the kingdom at almost every man's door.

The Commissioners, for the foregoing considerations, look upon the subject of farm drainage in Ireland at the present moment as a most providential resource, under what, without such a resource, might be looked upon as a difficult crisis for the country.

They likewise desire to bring under public consideration another most providential circumstance as connected with the subject, by stating, that an Act was passed so lately as the last session of Parliament, enabling the proprietor of every description of lands, however restricted by tenure, settlements, or incumbrances, to raise the requisite funds, as a first charge on the estate, for improvements by farm drainage, and to liquidate this charge by small annual instalments afterwards.

It is clear then that as the greater portion of land in Ireland requires draining, the means are already within the reach of the great mass of proprietors and occupiers of land, to avert from the country the danger which many have anticipated, but to do so these two classes must use a diligent and vigorous co-operation—and they should apply this co-operation and diligence forthwith.

Both proprietors and farmers should recollect that the labour of the agricultural population should be available in the ensuing spring, or sowing season, for putting down the farm crops; and the intervening months ought to be industriously applied by those families who have lost their potatoes, or are in danger of losing them, in earning money that shall supply them through the cropping season, without then having occasion to seek any other class of employment for the mere supply of food. If this providential precaution be overlooked, the difficulties of next year may be even greater than those of the present, in which the country has been blessed with a copious grain crop.

The Commissioners have no doubt that every public facility will be afforded in seconding the plan here proposed; and they will not fail to use their best recommendation to promote such facilities, and particularly the opening of general drainage, when necessary, by the removal of impediments in rivers, and other causes of local inundation, which might interfere with the minute or farm drainage in particular districts.

The Commissioners earnestly hope that the foregoing recommendations which they have thought it their duty to promulgate, may not be disregarded, as they cannot too strongly express their conviction that in them are to be found the best mode of contending against the present threatened difficulty, and of ensuring future prosperity; as well as the only mode of avoiding the extensive application of that last resource for destitution, as costly to the ratepayer as it is revolting to the independent-minded labourer—Poor Law relief.

No. III.

REPORT as to the probable effect of the failure of the Potato Crop, and consequent Relief Measures in Ireland, as illustrated upon the DEVON ESTATES, county Limerick.

1st March, 1847.

MY LORD—I have long been anxious to lay before the trustees some general view of this estate, and of the manner in which it might be advisable to meet the difficulties of the current and future years; but as the latter branch of the subject must materially depend upon broad Government measures,* it was necessary to withhold any decided opinion in that respect, until those Government measures were developed.

As two bills with this view are now before Parliament,—the first having for its object the granting of gratuitous out-door relief to the indigent portion of the able-bodied labouring classes; the second, that of facilitating an increased employment of the poor upon private works,—I feel bound, without further delay, to offer the following observations :—

The Devon estate consists of two very differently-circumstanced classes of land. The western portion being a hilly district, covered with peat, producing bad heathery pasture, interspersed with patches of miserable tillage. This district, however, is of a highly improvable character.

The eastern portion is a fine rich plain; the soil, a stiff clay, about four feet deep, resting upon limestone. The lands are chiefly occupied by pasture, and much in want of drainage.

The tillage of the whole estate is of the worst kind. The course heretofore was, to manure for potatoes, which were followed by as many successive grain crops as the land could be made to yield; when it was left to the slow operation of nature to recover the effects of this scourging.

My first step was, to divide the whole estate into four districts (see accompanying plan),* over each of which I have placed a superintending agriculturist. I then directed these agriculturists, with the assistance of the bailiffs, to frame a minute return for every towland in the form A;† the whole of which townland returns are condensed into the district returns,‡ B, C, D, E, F; and these last are condensed into the general abstract return, G.§

The agricultural districts have been made of unequal extent for the present, from the necessity of using two of the agriculturists in a double capacity.

The superintendent of the small district, No. 1, being charged with the detail of the Agricultural College farm now being established at Newcastle. The superintendent of No. 3 district is likewise charged with the detailed management of a farm in Canas, in which the occupation of the tenants was suspended, with a view to their ultimate restoration, when they and their lands shall have

* See p. 28.

† See p. 28.

‡ For B, see pp. 26, 27.

§ See pp. 26, 27.

been improved in condition respectively. The effect of the operations on this farm has already been most beneficial, by showing a successful example of the improved modes of tillage.

In framing these districts the object has been, to establish an organization that shall meet the difficulties of the coming season, as regards the profitable employment of the necessitous portion of the population in their respective localities. And when the employment of the people shall have been thrown upon the proprietor by the suspension of Public Works, each superintendent will be supplied with the requisite number of assistants in charge of sub-districts, to oversee the works.

I do not conceive that any additional cost has been brought upon the funds of the estate by the employment of these superintending agriculturists, as I found, on coming here, a very costly principle in operation, which they will enable me to abolish—that of placing keepers upon the farms of defaulting or broken-down tenants; and it is probable that the saving under this head will pay the cost of the superintending agriculturists. The cost of keepers was a hopeless and fruitless expenditure. The effect of the agriculturists will be, to prevent the tenant from falling, and to raise those who have fallen into that state of indigence which was visited with the additional incumbrance of idle and costly guards, where there was little or no property left to watch.

The abstract Return G* shows that there is a very heavy task now to be undertaken in the proper adjustment of the farms throughout the estate. Some progress has already been made by me in this respect. Column 6 shows the number of acknowledged farms upon the estate to be 441. Column 7 shows the confusion and sub-division that have been growing up for years past, until the actual number of occupiers has come to nearly double the number acknowledged in the rental. And the rental in the majority of cases gives the name of some former occupier, but not generally the names of those at present on the lands.

In many cases what appears on the rent books to be one farm, is found, on visiting the lands, to be occupied by five or six different tenants, with irregular and interlaced lots of land.

Cols. 16, 17, 18, 19 give a view of the population for whom it will be required to find support, either by profitable employment or by out-door relief, under the Poor Law. Col. 25 shows the number of indigent labourers to be 2,236 who should be kept permanently employed with this view.

Cols. 20, 21, 22 show the different classes of produce, and the quantity of land usually occupied by each, heretofore; and cols. 23 and 24 show the assistance that may be required in seed to crop the land of indigent occupiers.

The policy of Government at present appears to be, that the Public Works should shortly cease, and that the able-bodied population who require relief, should receive their support, first, either gratuitously from Poor Rates, by out-door distribution; or secondly, from private employment, to be paid for when required out of loans from Government, to be charged on the respective estates.

To estimate the future expenditure which may be requisite to

* See page 26.

meet the demand for relief on this estate, I shall use the returns which I have framed, as well as the experience derived from the operations of the Board of Works.

The relief-working parties of the barony of Glenquin at present amount to above 6,000 men daily.

The weekly pay list, to above £2,000.

The Poor Law valuation of the barony, to £56,802.

Thus the public relief at present given by the Board of Works would contemplate a rate of expenditure for the year, equal to nearly twice the amount of the Poor Law valuation; and it is to be kept in mind that the season of greatest pressure is only now approaching: it will be at its maximum in the summer, after all the crops are sown; so that this rate of expenditure may be expected to increase considerably rather than diminish.

The rental of the Devon estate is about £16,000, or about one-fourth below what its valuation amounts to under the Poor Law.

One year's expenditure in relief of the indigent population of the estate at the present rate, would, by this calculation, absorb a sum equal to about two and a half years' rent.

Thus far the calculation is based upon the experience of the Board of Works' operations; and the estimate thus obtained may be compared with the results brought out in the estate returns herewith.

In the abstract G., col. 25,* we find that the number of labourers is 2,236, for whom employment must be found, to enable them to support the indigent families dependent upon them in this estate. But in comparing this number with the number of 2,000 employed by the Board of Works, which may be assumed as the proportion of the Boards' labourers due to this estate, it must be kept in mind, that the latter number includes both men and boys; whilst the number in the returns contemplates men only, on an estimate of one full-grown labourer for every three destitute individuals. In practice it will be necessary to employ a large proportion of boys, and therefore to increase the number thus estimated in a corresponding ratio. Thus, the estimate taken from the estate returns would be considerably above the practice of the Board.

The main question to be considered is, whether the support to be administered to the able-bodied poor shall be in the nature of outdoor relief, through the Poor Law department, or of productive employment, to be paid from Government loans charged upon the estate?

It will be a delusion to imagine that the Poor Law relief can be administered on a more economical estimate than that above stated. The year's relief, therefore, in this mode, would assuredly cost a sum equal to two and a half years' rent; and it would not conduce in any way to the change required to make the people at some future day independent of such relief. It would, therefore, amount to a permanent yearly tax upon the estate, equal to two and a half years' rent.

This amount would be demanded in the first instance from the occupying tenants who could not by any possible exertion answer the demand, as they have much difficulty in paying their rents at present, without being liable to any such enormous charge as is here contemplated.

* See page 27.

The ultimate proportion of this sum which the tenant is expected to bear, is one half of the amount he is expected to pay in the first instance, the other half to be refunded to him by the proprietor.

Thus, supposing that by some miracle the tenant were at the end of the year to pay the tax quietly, amounting to a sum equal to two and a half years' rent, his next step would be to settle with his landlord for the rent. This settlement would consist, not in paying any money to his landlord, but in presenting the Poor Law collector's certificate, upon which the landlord must return to the tenant one half of the tax, or a sum equal to one and one-quarter years' rent, without receiving a farthing for his land!

But this is not the whole, nor the worst, of the case. The tenant, still feeling himself aggrieved, would say, "Sir, you must reduce the rent of my farm whilst this assessment continues. You must recollect, that the rent I agreed to pay you was upon a full valuation of all the circumstances of my farm and its charges; and that I cannot afford to pay any additional amount *for rent and taxes taken together*, beyond the sum that those charges formerly amounted to as by the valuation. (See form of valuation, Appendix No. 15, B, Land Commission Evidence.) If I am to pay this increased tax, there must be a precisely similar allowance made to me by you on the score of rent, otherwise I must give up the farm. In fact, although you have received nothing from me, but, on the contrary, have paid me a sum equal to a quarter of what I used to pay you, this will not enable me to go on. You must in future not only receive no rent from me, but you must pay me yearly an amount equal to the difference between the rent I *agreed* to pay you, and the sum demanded from me for this new additional tax. In short, instead of receiving money from me, you have in future to pay me one and one-half times the former amount of rent for occupying your land; otherwise I must give it up!"

It is clear, then, that any dependence upon "out-door relief" for the able-bodied poor, *under the present circumstances*, must produce immediate ruin to the proprietor, whose rents thus become wholly absorbed by the tax.

It is clear that the tenant likewise becomes ruined; because, in addition to the absorption of the landlord's rent, the tenant's share of the tax is far beyond his powers of meeting.

It is clear that the struggle between the landlord and tenant will throw the land out of use; that there will be no one to pay the tax, and that both *tenant and landlord* will increase the list of those requiring relief; that the utmost confusion will thus grow up in the country, the farmers and proprietors gradually becoming claimants for "out-door relief" themselves; that the lands must all gradually go out of produce as each successive farmer becomes ruined; and finally, that the whole population of the country, or rather the survivors of them, will depend upon the treasury of England alone for such relief as may be given.

I shall assume therefore, in the first place, that this ruinous system of gratuitous "out-door relief" to able-bodied persons, however indispensable as a temporary precaution on the part of Government against any sudden starvation, is in no instance to be regarded by proprietors, as exonerating them from adopting some such

distinct and effectual remedy of a more wholesome and permanent kind, as shall supersede the necessity of its application.

I shall assume, in the second place, that every proprietor who shall have the wisdom to take upon himself the maintenance of his own people, will be exempted by some provision of the Poor Law Act now before Parliament, from the inevitable destruction before described, which must fall upon all proprietors and occupiers of districts, subject to the tax for supporting in idleness the able-bodied poor.

I shall now proceed to deal with the second alternative offered by the Government, to meet the difficulties that characterize our present position.

These difficulties are manifold, and peculiar in their intensity, their extent, and in the probability of their duration, as compared with the circumstances attending any former famine in this country.

First—They are permanent, because the ordinary food of the labourers will not be supplied by the coming crop, nor any sufficient substitute for it, on their own lands.

Secondly—The difficulty is greater in degree, because the most general demand for human labour in the private operations of spring and harvest cultivation, has ceased with the potato crop.

Thirdly—The large mass of cottier labourers, con-acre holders, &c., who formerly had their own stores of food, and were, therefore, independent of the labour market during the winter months, must now trust for existence throughout the whole year to day-labour; whilst the demand for that labour, in the ordinary operations of tillage, is reduced, as above shown, by the unavoidable abandonment of that crop, which gave the largest proportion of employment.

Fourthly—The labourer has become a much more difficult person to deal with, than he was previous to the institution of the present relief employment. He must necessarily be paid much larger wages to purchase high-priced food, whilst he has acquired idle and turbulent habits. This is the most serious difficulty of the whole. It is clear that no private employer will continue long to incur personal risk and loss of capital, to support a mass of men who revile him, and perhaps threaten his existence, whilst they rob him, by withholding a fair return of labour for the wages he pays; and if a healthy change in this respect be not brought about, the capitalist will be forced to suspend the employment of human labour in the permanent improvement of his lands, which might otherwise be applied with extreme profit to both capitalist and labourer.

If the capitalist be thus forced to pause in offering this valuable employment, or to supersede human labour by horse work, as far as such can be done, it is difficult indeed to foresee either the intensity or the duration of the horrors that are yet in store for this miserable country.

If, however, a rational course be adopted by the different classes interested, all our difficulties will gradually disappear, and we shall have a brighter prospect in futurity than any that has ever dawned upon us heretofore.

If the Legislature will protect from a crushing tax those districts where the able-bodied poor are voluntarily supported by a wholesome application of their own industry; if the proprietors and occupiers of lands will vigorously open the mines of wealth which the permanent improvement of those lands offers; and if the labourers will but give a fair return in work for fair and liberal wages, whilst employed in the execution of those operations, we have ample support for all classes for a few years to come. But those valuable years must be energetically used in another way likewise, or, when they are past, we shall be in a more hopeless state than ever.

The present distribution of our population in Ireland is so disproportioned to the ordinary wants of the various districts, that no permanent good can be effected unless a due equilibrium in this respect be established. This, therefore, should be the chief object in view with us in all that we now undertake—an object that may be most beneficially accomplished by a right direction of our exertions during the next five or six years.

The circumstances of this estate, as to the distribution of the population, offer a good illustration of the whole surface of Ireland.

Certain districts here are so thickly inhabited, that the ordinary demand for labour could not provide one-half of the people with constant profitable employment; and therefore, in the absence of their former resource, the potato, extensive suffering and starvation must be the ultimate consequence, unless a certain proportion of them be removed.

Other extensive, and highly improvable tracts of land we find giving little or no produce, owing to the total absence of population.

Here, then, we have two distinct diseases in active operation on the same body, which, by a species of inoculation, any skilful practitioner ought to convert into reciprocal cures. He will find his patient strenuously opposed to this line of treatment, which, however cautiously adopted, will be attended with difficulty and some peril to himself.

The grazier, who holds a large tract of mountain, generally exhibits the greatest reluctance in giving up even an acre of his waste. On the other hand, the miserable cottier fancies himself exiled, by removal from starvation in the plain to competence in the hill district.

Success will depend upon adopting a course which shall render the measure of reclamation palatable and attractive to both.

The circumstances of the present moment, and of coming years, if properly applied, are peculiarly calculated to facilitate such a course.

Large sums of money must be expended in labour, otherwise the labouring population must be permitted to starve, or they must be maintained in idleness, alike ruinous to themselves, as it would be to the taxpayers owning and occupying the property.

I have assumed, therefore, that to avert the certain destruction of all classes, the requisite funds shall be forthcoming on the ample security of the property, sufficient to employ the indigent able-bodied population in profitable labour.

I have assumed that the proprietors and occupiers who do so employ their people, shall be exempted from any other tax for that object; and I shall now proceed with a further consideration of the most beneficial method by which the employment required on this estate, may be supplied in the reclamation of waste lands.

I do not propose to take those lands by the strong hand from the graziers who now hold them, without giving a full equivalent; but that equivalent I should make consist in returning to the present occupiers a smaller proportion of the same land, in a productive state after it had been reclaimed, and at a fair remunerative rent. I should hope by this method to remove the graziers' objections.

The prejudice of the cottier against moving from the plain would likewise be overcome, when he found that several acres of waste land had been reclaimed and made productive on the farm offered to him, with a snug house ready for his reception.

The disinclination of the two classes above mentioned to a voluntary co-operation in measures for the reclamation of waste land, arises from the omission of the course here proposed—an omission which has originated generally in the want of adequate means to carry it into operation. That difficulty, however, will not now interpose, as an enormous expenditure must necessarily be incurred, and may therefore be partly applied to this important object.

There are few subjects which offer a wider opportunity for profit or loss than that of reclaiming waste lands, whether in the selection of the qualities to be so operated upon, or in the particular method to be pursued; and much experience and caution are requisite to ensure successful results.

The class of work which I feel most anxious to adopt in every case where it can be made available, is thorough-draining the tenants' farms in the productive lands, because it is unquestionably the most certain of yielding future profit.

But this class of work will not be very generally available in the plain district during the pressing season of summer, as the lands will then be under some class of crop which would be injured by the work.

What I should therefore propose would be, during the summer months to employ the labouring population of the hill district, and that portion of the population of the plain that inhabits within a mile and a half of the hills, in works of drainage and reclamation in the mountain district, where no crops would stand in the way of such operations.

With respect to the portion of population inhabiting the central and eastern parts of the plain, I propose that they should be employed in widening and deepening the general water-courses and rivers, which are essential as preparatory to the field drainage that may follow after the crops are removed.

The heavy incumbrances which press upon this estate, and the fact of its being under the management of trustees, necessarily render a more cautious course of proceeding advisable, than might be adopted in the conduct of an unembarrassed property under the free management of its owner.

From these considerations I abstain from recommending any investment for building, or other objects not calculated to give a

direct and profitable return; with the exception, first, of cattle-sheds on a most limited and economical scale; the trustees' assistance to tenants in this branch not to exceed 10s. per head of stock; the accommodation not to exceed, for the present, one animal for every three acres of cultivated land. Second, cottages on new land farms, cost not to exceed £8 or £10 each.

To this extent I believe an expenditure for building accommodation essential to the progress of the estate.

I should propose likewise, that only the best quality of waste land should be in the first instance used for reclamation; and as a general principle, that no enterprise be executed, whether in the nature of reclamation or drainage, where the result was likely to be of doubtful profit.

With these restrictions, and under the supposition that the labourers may be induced to give an honest return in labour for their wages, I have no doubt, first, that the full amount of labour now required by the population may be provided with great profit to the proprietor, the tenants, and the labourers.

Second—That the labour so expended will bring about a natural adjustment of the population, suited to the requirements of the lands and the demand for labour.

Third—That, large as the sum estimated, of £700 per week, for this relief employment may appear, it would be requisite, and would relieve the embarrassment of the property; whilst maintaining the labouring population in idleness by "out-door relief," would cost a much larger sum in the end, and would inevitably ruin the estate.

And finally—I am convinced that, unless the improving principle here recommended be adopted, the collection of rent cannot be calculated upon; nor would the agent's life be worth three months' purchase.

The moment that public works are suspended, the unreasonable indignation of the working classes, which is now directed against the numerous officers of the Board, will be concentrated upon the agent. I therefore earnestly hope that the trustees may take the subject into their early consideration, and make their decision as soon as the important measures now before Parliament permit, so that I may be prepared in time to act as the circumstances of every case may require; as otherwise, my continuance here could neither be attended with benefit to the interests of the estate, nor with satisfaction or safety to myself.

I am quite aware that, in the foregoing very imperfect statement, I have assumed as fixed what is still very doubtful; that the two great measures now before Parliament—the first framing a temporary system of "out-door gratuitous relief to able-bodied labourers;" the second, giving facilities to proprietors to afford extensive employment, with a view to support their able-bodied poor—I have assumed that these two great measures will be made law, on the principle, that those proprietors who take advantage of the second statesmanlike and beneficent arrangement, are to be exempted from the certain destruction which must attend the application of the first.

I am aware that this protection, which forms the essence and mainspring of all I have proposed, may not possibly be contained in these measures when made law.

Should such, unfortunately, be the case, I shall then feel that all hope of improvement has closed upon us; that the destruction of this country is slated; that it would be impossible, by any measure which the trustees could adopt, to save this estate or its population; and, with the deepest sorrow, I shall request to be relieved from the charge of its management, that I may not witness those horrors, or be involved in that ruin, which for many years I have foreseen and foretold, and have laboured earnestly, though fruitlessly, to avert.

I have the honour to be, my Lord, your most obedient servant,
J. P. KENNEDY,
The Right Hon. the Earl of Fortescue.

No. IV.

Newcastle, 8th April, 1847.

MY DEAR LORD COURTENAY—Referring to the eighth subject in your last letter, as to whether the portion of rate payable by the electoral division should be limited below a certain amount, or should be the surplus above such amount, the balance in either case being paid by the union; I think it better that the first portion of the rate should come upon the electoral division, and if any is to be borne by the union at large, that it should be the surplus above a certain amount; but I still think, that unless the electoral or rateable districts be made co-extensive with estates, the great mass of relief, in either case, will consist of a tax which will give no profit, and will be so enormous in extent that it will never be levied, although the mere name of it will give an excuse for evading other payments.

The only way in which our difficulties can be met safely is, by all proprietors making the relief consist in an extension of profitable employment on their respective estates.

To those who do not know this country well, the very natural suggestion arises, that, for an object so palpably advantageous the several proprietors of each electoral division as at present defined, will combine and give voluntarily the employment which their respective portions of the property would require.

I am fully persuaded that no such result will occur, and my opinion is not taken up lightly; it is formed from many years' experience in seeking laboriously, but fruitlessly, to produce such voluntary combinations of proprietors for objects as palpably advantageous to them as that now under consideration.

The energetic and useful men will try to act as they ought. The mass who are idle and ignorant will allow matters to take their course; and the taxation growing out of their negligence will be amply sufficient to crush their active and well-intentioned neighbours as well as themselves.

What I dread, and I must repeat it, is the demand of any large

poor rate at this moment. I dread it as the most effectual signal that could have been imagined for a general and successful passive resistance to the payment of rent; and I earnestly entreat that your lordship, Lord Devon, and the trustees may take the labour of considering carefully the suggestion contained in my letter of 25th ultimo,* addressed to Lord John Russell, a copy of which I sent to Lord Devon; and if you approve of the course there pointed out to protect the useful and working proprietor and tenant from being involved by their worthless neighbours in one common ruin, I would further entreat you to take such means as will force the attention of Government to the question.

There are many in this country who imagine that it is the pre-meditated wish of Government to ruin the Irish landlords. I am persuaded that this is a vile and unfounded calumny; and that the inimical tendency of their Act of Parliament, in the present case, as affecting all classes of society, proceeds from no worse cause than the want of precisely understanding the essential necessities and capabilities of the country, upon which the success or failure of the best intended measures would depend. I am aware of the false principle miscalled consistence, which frequently prevents men in power retracing an erroneous step; and in the recommendation I made to Lord John Russell, you will find that there would be no such retracing necessary. It is only required to follow the principle laid down in sec. 18 of 1 and 2 Vic., c. 56. This, if properly done, and taken in connexion with the Land Improvement Act, supported by a sufficient fund for making loans, will save the country. It will free every property from dependence on the errors of neighbouring properties, and will enable the active and energetic proprietor to support and improve his people without taxation or cost to Government.

I have said that the errors existing in the new Relief Act have arisen in ignorance of the subject: what else could lead the Government to imagine that the heavy rates required to meet the present pressure, can be levied from the occupiers of land, without wholly destroying all existing arrangements between landlord and tenant in the first place.

The rents assumed by tenants must have been with reference to the pre-existing charges on the land! If large additional charges be now laid on, they must come out of the sum reserved for rent, as far as that sum will go; and if the farmer pays them he will have nothing, or only a portion of what is requisite, left to pay rent afterwards. How can I press a tenant for rent when he shows me that he has already paid for unusual public charges which were not calculated upon when his rent was fixed—sums that must have absorbed the only balance of his farm produce which was left for rent, after paying all the other costs of his farm.

And you must keep in mind that the tenant will be required to pay these rates for neighbouring properties, even if you should have the courage to incur a private expenditure sufficient to support your own people, and to remove all necessity for a rate as regards them.

If I were inconsiderate enough to press the tenant under these

* See page 29.

circumstances, he will not pay, simply because he will have nothing left behind to meet my demand.

I would remind you that owing to the productive expenditure which the trustees have allowed me to incur, I have succeeded in collecting during the last half year, a full half year's rent, whilst the neighbouring proprietors, as far as I can learn, after offering large abatements, have generally failed to collect even the balance that they ventured to ask for. If, then, I look upon the future collection of rent here as hopeless, unless the simple protection I seek be conceded, what will be the chance for other properties?

And yet to avoid all this confusion and destruction, I only ask the Government to follow up vigorously a single provision of the old existing Poor Law Act. There is nothing to undo in the whole matter!!

I look upon the temporary Out-door Relief Act as all right and most essential, if the Poor Law Commissioners are but forced to recast the electoral or rateable districts, as suggested by sec. 18 of their Act.

I look upon the Land Improvement Bill as the most statesman-like measure ever offered by any government to this country, if it be supported by a sufficient loan fund, and freed from frivolous delays; and if the Poor Law Commissioners be compelled to recast the electoral or rateable divisions in the true spirit of section 18 of their Act.

But without these accompaniments, the Improvement Bill must prove a nonentity; and the Relief Act the most ingenious, rapid, and effectual invention for ruining every class in this country, that human ingenuity could possibly have devised.

As this is a very important subject, not only to your property, but likewise to every poor and every rich man in Ireland, I would not willingly be misunderstood; nor would it be desirable that my recommendation should be thrown aside, upon a mere technical construction of sec. 18, to which I have referred. It is in the power of Parliament to alter it if any alteration be required.

I believe that this section gives to the Poor Law Commissioners the power of changing from time to time, as they may think fit, the boundaries of electoral or rateable divisions, and of making them co-extensive with single estates. If they do not possess this power already, all that is required is, to give them such a power with a most stringent obligation to exercise it. If this be done we are still safe. If it be not done, the first substantial proof that your lordship will receive of the soundness of my present opinion, will cost you £8,000, by the tenants of this estate failing to pay the next half year's rent that is demanded after a heavy rate shall have been levied upon them; and this will be but the commencement of a long series of losses and disorders which must inevitably follow.

The false step if once taken cannot be retraced. One foolish act may produce evil consequences that a hundred wise ones cannot rectify.

Coming from the general subject down to your own particular case, I think it very probable that the Poor Law Commissioners might be induced to listen to an application supported by Lord Devon, the trustees, and yourself, having for its object the recasting of this estate into two or three electoral divisions, comprising your pro-

perty alone. I enclose herewith a tracing which shows the present electoral divisions, and also the limits of the estate. You will perceive that nothing can be more irregular than the limits of the several districts are at present, although no useful end has been attained in so fixing them.

I feel bound by every obligation which I owe to the proprietors, the occupiers, and the labourers of this estate, as well as to the miserable population of this country, to press by every possible means the consideration of this subject; and I prefer even that the trustees should imagine me over urgent, officious, and tedious, rather than tamely acquiesce in what must destroy all those interests that have been confided to my charge.

I have brought the subject under the consideration of the head of Her Majesty's Government, and have had an acknowledgment that my communication was received. But having sacrificed a valuable profession, which I loved, in the hope that I might be of some use to this unhappy country, I feel the more anxious not to let the fruits of thirty years' hardly-earned experience be wholly lost without a struggle.

It is grievous indeed to see the acts of Government produce national suffering and national alienation in these countries, where the closest union is essential to their existence as a great and mighty empire; and where, if even an ordinary degree of prudence, and an accurate knowledge of our wants, our means, and our capabilities were possessed by those placed to direct the extraordinary energy of our people, universal prosperity would be secured. And thus we find that the whole question is much more one of administration than of legislation.

I have already frequently repeated that the original Poor Law Act gave ample powers to the Poor Law Commissioners to define the rateable or electoral districts on a principle that would have called forth the activity of proprietors, and that would have protected all those who made voluntary exertions for the relief and improvement of their people, from being a second time taxed and sacrificed owing to the neglect or apathy of their neighbours. But this principle has been overlooked, and *in cases that I am aware of most arbitrarily outraged*, probably from the administrators of the law being totally deficient in that knowledge of the country which was essential to the due execution of their important duties.

It was impossible, that utter strangers to our wants and capabilities should produce other results than the most lamentable failures, when they attempted, to deal with those vital interests that must require both minute and matured experience to enable even the ablest man to comprehend them.

My course is now very clear.

First—I shall repeat my entreaties to your lordship, Lord Devon, and the trustees, to use your influence, both in Parliament and out of Parliament, to induce the Government to effect a great national good by *requiring* the Poor Law Commissioners to recast the electoral or rateable districts in accordance with the plan I offered to Lord John Russell, in my letter of the 25th March, 1847.*

* See page 29.

Second—As it is possible that you may fail in carrying so comprehensively useful a measure, I would entreat you to use your united influence with the Government and the Poor Law Commissioners, to recast the electoral divisions comprising this estate, so that it may be formed into such a number of new electoral districts as they may think fit, excluding from them all other property but your own.

Thirdly—Foresceing the possibility of failing to accomplish either of the foregoing essential improvements, I shall use my best endeavours in the meantime to convince the other proprietors who are included with us in the present divisions, that they should take upon themselves the employment of their able-bodied poor; and that if they will agree to this principle, you will do so likewise, and so relieve the respective electoral districts from all rating for out-door relief to able-bodied labourers.

I am aware how hopeless an effort this last will be—to obtain the firm co-operation of several proprietors in any one object. I am aware that the effort will occupy my time, which ought to be *wholly* applied to laying out, and arranging for, our own extensive operations; and I fear, that amidst all these delays a heavy rate must be struck. If so, the mischief that I dread will be done, and it will be irremediable.

Your Lordship's very faithful

J. P. KENNEDY.

To the Lord Courtenay.

G.—ABSTRACT of the General Estate Returns, showing the distribution of the lands, of tillage heretofore pursued, the arrangement of Agricultural Superintendents' it will be requisite to find employment during the ensuing season of famine, the

N.B.—In the fractional expressions underneath, the Numerators show the number of

1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	Class 1, Comfortable.	
											Farmers, No. in Family.	Labourers, No. in Family.
Agricultural District of Estate.		Names of Superintending Agriculturists.	No. of Sub-Districts.	No. of Townlands.	No. of Farms in Rental.	Actual No. of Tenants, Portmosses, and Under-tenants' Families.	No. of Labourers' Families.	No. of Acres, Statute Measure.	Amount of Rent.	Poor Law Valuation.		
								£ s. d.				
B 1.	N. E.	Mr. M'Menamine, .	1	11	49	53	29	4,729 0 7	2,726 12 0	3,471	1 ² / ₅	—
C 2.	N. W.	Mr. M'Gee, .	2	22	129	140	99	6,423 1 21	4,210 11 10	4,368	5 ⁰ / ₂₇	—
D 3.	South.	Mr. Gleeson, .	1	8	105	151	55	3,088 1 15	2,427 8 7	2,030	1 ² / ₅	—
E 4.	S. W.	Mr. Cairns, .	4	14	158	358	285	19,723 0 17	5,256 17 11	5,785	4 ³ / ₆	4
F		Wasted, not surveyed and too farm }	8	55	441	702	468	33,963 3 20	14,621 10 4	15,634	1 ⁰ / ₅	4
			—	—	—	—	—	3,916 0 0	756 0 0	3,359	—	—
		Town Newcastle, .	—	—	—	—	—	—	756 15 1	1,951	2 ² / ₄	2
		Total, .	8	66	441	702	468	37,879 3 20	16,134 5 5	20,964	2 ² / ₅	2 ³ / ₅

B.—DEVON ESTATE, NORTH EAST

Agricultural Division, or Districts of Estate.	Name of Townlands.	No. of Farms in Rental.	Actual Number of Tenants, Partners, and Under-Tenants' Families.	No. of Labourers' Families.	No. of Acres, Statute Measure.	Amount of Rent.	Poor Law Valuation.	Class 1.	
								Farmers, No. in family.	Labourers, No. in family.
A.	B.	C.	D.	E.	F.	G.	H.	I.	J.
North East Division.	Ballingown, . . .	6	7	1	A. R. P. 217 3 11	£ s. d. 240 1 9	243	1 ² / ₅	—
	Ballylane, . . .	1	—	6	139 1 10	148 4 4	176	—	—
Agriculturist, Mr.	Churchtown, . . .	9	9	1	441 0 24	479 10 10	546	3 ² / ₅	—
	Dromis Doole, . . .	10	10	9	416 1 23	413 4 9	411	2 ² / ₅	—
M'Menamine.	Dungeehy, . . .	6	3	3	302 3 25	341 7 8	355	1 ² / ₅	—
	Gunasekenane, . . .	3	5	2	181 1 3	184 18 3	197	1 ² / ₅	—
	Gurtree, . . .	6	7	2	135 3 18	163 1 8	160	1 ² / ₅	—
	Kilmadane, . . .	5	8	2	302 1 4	366 2 7	306	2 ² / ₅	—
	Moviddy, . . .	1	1	2	120 3 13	112 9 10	149	1 ² / ₅	—
	Castle Demesne, . . .	1	3	1	122 1 32	—	260	2 ² / ₅	—
	Ballyloghane, . . .	1	—	—	2,348 3 4	277 10 4	669	—	—
	Total, . . .	49	53	29	4,729 0 7	2,726 12 0	3,471	2 ² / ₅	—

the condition of the Tenants, the subdivision that has taken place on the farms, the course Districts, with a view to improving the general tillage of the Estate, the classes for whom assistance required for seed by indigent tenants, &c., &c.

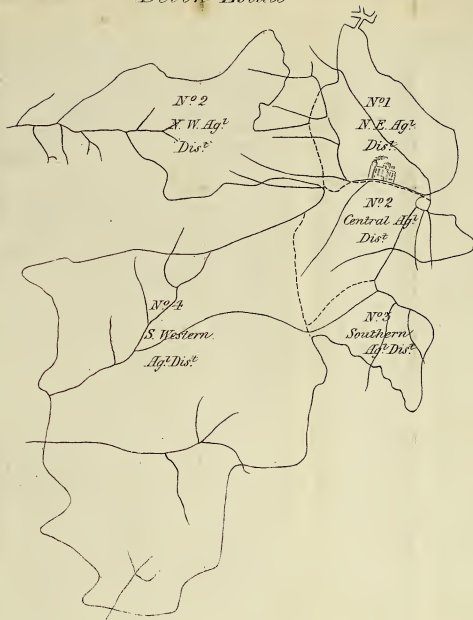
Families, and the Denominators the number of Individuals in those Families.

CLASSIFICATION.						Usual quantity of cultivated land in Irish Measure.			Cost of Seed.		Estimate of Employment required, Labourer at rate of 1 in 3, of families in 2nd and 4th classes.	Population of Estate, Rural and Town of Newcastle District.
Class 2. Medium.		Class 3. Destitute.		Class 4. Very destitute.		Grain.	Potatoes.	Pasture or Meadow.	2nd Class.	4th Class.		
Farmer, No. in Family.	Labourer, No. in Family.	Farmer, No. in Family.	Labourer, No. in Family.	Farmer, No. in Family.	Labourer, No. in Family.							
14.	15.	16.	17.	18.	19.	20.	21.	22.	23.	24.	25.	26.
30	3	17	4	3	10	A. R. P. 284 2 0	A. R. P. 194 2 35	A. R. P. 918 1 24	£ s. d. 12 1 0	£ s. d. 1 11 0	933	31 3/4
300	17	17	20	17	20	486 1 25	331 0 35	1,863 3 5	13 4 7	-	251	13 1/2
200	-	17	30	10	10	292 1 10	262 3 20	1,064 1 25	153 5 0	27 4 0	288	10 1/2
100	10	11	20	20	10	417 3 16	815 3 34	12,017 3 7	129 13 0	57 6 6	812	10 1/2
300	10	10	10	10	10	1,481 0 11	1,604 3 4	15,866 1 21	308 3 7	86 1 6	1,485	11 1/2
-	-	-	-	-	-	-	-	-	-	-	-	-
300	10	10	10	10	10	-	-	-	-	-	751	10 1/2
100	10	10	10	10	10	1,481 0 11	1,604 3 4	15,866 1 21	308 3 7	86 1 6	2,236	10 1/2

AGRICULTURAL DISTRICT.

CLASSIFICATION.						Usual Quantity of Cultivated Land in Irish Measure.						Cost of Seed.				Estimate of Employment required, as a basis for relief, of 1 in 3, of families in 2nd and 4th Class.	Population.		
Class 2.		Class 3.		Class 4.		Grain.			Potatoes.			Pasture or Meadow.		2nd Class.				4th Class.	
Farmer, No. in family.	Labourer, No. in family.	Farmer, No. in family.	Labourer, No. in family.	Farmer, No. in family.	Labourer, No. in family.														
14.	15.	16.	17.	18.	19.	20.	21.	22.	23.	24.	25.	26.							
17	-	10	-	1	1	A. R. P. 31 0 0	A. R. P. 23 0 0	A. R. P. 76 0 5	£ s. d. -	£ s. d. 1 11 0	7	27							
-	4	-	10	-	10	12 0 0	8 0 0	63 0 0	-	-	6	33							
17	-	17	-	-	1	47 0 0	38 2 0	190 3 15	-	-	7½	4½							
17	1	10	10	-	10	48 2 0	31 0 0	176 2 16	-	-	26½	10½							
1	-	-	10	-	1	35 0 0	25 2 0	126 2 0	-	-	5½	27							
1	-	10	10	-	-	17 0 0	11 2 0	89 0 32	4 0 0	-	9	1½							
-	-	10	1	-	10	36 0 0	26 0 35	21 0 14	8 1 0	-	20	2½							
10	-	10	-	-	10	46 0 0	24 0 0	116 2 13	-	-	7½	1½							
-	-	-	1	-	-	12 0 0	7 0 0	55 2 15	-	-	2½	1½							
-	-	-	1	-	-	-	-	-	-	-	2	1½							
30	3	17	4	3	10	284 2 0	194 2 35	918 1 24	12 1 0	1 11 0	933	31¾							

Devon Estate





No. V.

EXTRACT from letter addressed to the Right Hon. LORD JOHN RUSSELL, relative to Relief Measures, Ireland, dated

Newcastle, Co. Limerick, 25th March, 1847.

THE accompanying report* will give some idea of what would be the practical operation, on a large estate, of the two principal measures of relief proposed by Government; and if, in adopting the land improvement principle to the full extent that the necessities of the estate may require, we can be protected against the charge for out-door relief, incurred for the support of the poor on neighbouring estates, in the same electoral division, or Poor Law union, our present difficulties would be in a great measure removed. The result would be, extensive benefit to all those who choose to exert themselves; and evil could fall upon those only who merit it by their own inexcusable negligence.

If the protection I seek be not conceded as a general measure, the ruin of all classes is nearly certain.

That protection might be afforded in either of two ways: first, by limiting the rating for the purposes of 10 Vic., chap. 7, to individual estates, instead of electoral districts or unions; or, second—and by far the best way—by *requiring* the Poor Law Commissioners to exercise the powers given by the 18th sec. of 1 and 2 Vic., chap. 56, in the true spirit and intention of that section, and to recast the present electoral districts, making each estate an electoral or rateable district by itself.

In large estates this principle would not be productive of any inconvenience in the Poor Law department, or of any essential change in the present practice. It would merely require that new boundaries should be assigned to the electoral divisions—boundaries which there would be no difficulty whatever in laying down, when one considers that every estate is composed of some distinct number of entire townlands, and that the townland Ordnance Survey of Ireland is now completed.

Where small estates occur, it would not be requisite that each should be represented by a separate guardian, as several such small estates might be joined for the election of one guardian, although considered as separate for purposes of rating.

At present there is much dissatisfaction amongst electoral divisions in the effort to avoid being connected with suburb districts of towns, villages, &c.

These localities now press heavily on the electoral divisions to which they are arbitrarily attached; and it might be provided, that where a very necessitous case of the kind occurs, it should be spe-

* See page 13.

cially considered, and a portion of its rates might be made a union tax, or, with more fairness, the sum of the cost of such localities might be supplied in part, on a uniform scale, from the rates of all unions in Ireland.

I feel well assured, that whatever proportion of employment and relief may be afforded, through the instrumentality of loans, under the Land Improvement Bill now receiving the consideration of Parliament, will be a permanent relief, without any cost either to the Government or the rate-payer, but that its operation will be very limited indeed, unless some such precaution as that above suggested be given; and I feel equally certain that the large sums which may be laid on for out-door relief, under the temporary act of 10 Vic., chap. 7, will never be levied, because the occupying tenants and proprietors will be unable to pay them; and that thus nearly the whole charge for relief will fall upon the Government, and the progress to a better state of things will be effectually impeded.

Under the Land Improvement Bill, *if it be accompanied by the required protection*, the cost of relief employment will be undertaken voluntarily. The investment of that cost will create ample means for its liquidation; and I believe that *if a sufficient amount of funds, by way of loan*, be made available, through its means, to effect the great object proposed, it would prove the only effectual measure for raising the condition of all classes in this country that has ever been adopted; and that this result would be obtained without one farthing of ultimate cost to the State—all that is required being, an advance of money, charged upon the best class of security in the empire, to be laid out in the most profitable investment that can be imagined, with a certain prospect of arresting present starvation, regenerating the country, and averting an *overwhelming, permanent, and unproductive* taxation for out-door relief, which must, for the most part, fall upon the empire at large, from the impossibility of levying it locally.

I feel fully persuaded that the enactment of the 10th Vic., chap. 7, was imperatively required as a precaution; but the means of avoiding its crushing effects ought to be afforded to all those who are willing to take advantage of the vast opportunities which the natural capabilities of the country offer, to effect permanent good, and to avoid the common ruin that now threatens all classes.

J. P. KENNEDY.

No. VI.

EXTRACT from the proceedings of the Newcastle Relief Committee of Friday, 9th April, 1847.

1. "Resolved—That as the lists of indigent able-bodied persons in the several electoral districts are now completed, it is desirable that the Relief Committee should understand the intentions of the several proprietors, as regards the affording of voluntary employment to such persons, before proceeding to make the estimate which must regulate the rates to be levied.

2. "Resolved—That each proprietor, or his agent, within each electoral division be invited to meet this committee upon Thursday, the 15th instant, in reference to the foregoing subject.

3. "Resolved—That an urgent appeal be made by this committee to all owners and agents of properties under the administration of the Courts of Chancery and Exchequer, imploring that they will take active steps to obtain the sanction of those courts, to institute a system of improvement on the respective properties, calculated to combine the employment of the able-bodied labourers with the progressive value of the property; and with a reduction of the rate of taxation, which must otherwise fall upon such lands for the support of the people.

4. "Resolved—That an application be made to the officer charged with the superintendence of operations under the Board of Works, requesting that he will have the goodness to furnish this committee with an estimate of the number of labourers and carts, that he can employ in each electoral division of our relief district, during the next three months, with a view to our being able to frame our estimate for out-door relief."

Newcastle, 18th April, 1847.

My Lord—Referring to my letter,* addressed to Lord Courtenay, on the 8th April, I beg to inform you that I induced the Relief Committee here to adopt the resolutions contained in the accompanying paper, inviting the several proprietors of lands comprised in the electoral districts containing the Devon estate to meet the committee: as I had predicted, this effort to obtain co-operation in the employment of labourers utterly failed; only two small proprietors out of the whole attended the summons, and neither of them showed the least desire to give employment.

I beg, therefore, with this additional proof of the hopelessness of obtaining the voluntary co-operation of the proprietors, to repeat the necessity that exists of seeking to induce the Poor Law Commissioners to throw this estate into electoral divisions, separated wholly

* See page 21.

from all other properties. They have the power of doing this if they please, under the eighteenth section of their Act; and they could scarcely refuse to do it if the trustees press them.

If this be done, and if we can get the requisite money on loan, I promise to employ profitably every labourer who requires it on the estate, and to avert the necessity of all taxes for the support of able-bodied persons and their families from falling upon the tenants and proprietors of this estate.

I have the honour to be your Lordship's faithful servant,

J. P. KENNEDY.

To the Right Hon. the Earl of Fortescue.

No. VII.

Newcastle, 5th August, 1847.

MY LORD—I herewith beg to transmit, for the consideration of the trustees, a project for improvements, which may be effected upon the Devon estates, in the county of Limerick, with the aid of a loan of £10,000, under the Act of 10 Vic., chap. 32.

The particular objects of expenditure have been selected, first, with a view of opening broadly the resources of the estate, on a principle that shall afford a distinct and immediate remunerative return to the proprietor and occupiers of the localities affected; second, with a view to afford an opportunity of employing, near their homes, the superabundant labourers of every district of the estate.

In placing before the trustees a project which must, for a time, add to the charges affecting this property, I feel that it is not sufficient to show that, under ordinary circumstances, the outlay might be calculated upon as likely to bring back a highly profitable return.

It is likewise incumbent upon me to show how far the critical circumstances of the present times, or the peculiar position of this estate, may render doubtful the propriety or profit of investing borrowed money in its improvement and cultivation; and also, whether there be any practicable modifications required in the existing position of the estate, and within the control of the trustees, or of public departments of Government, that may render less hazardous the investment now proposed.

By referring to my report of 1st of March last,* and to subsequent papers relating to that report, it will be seen that the number of superabundant able-bodied labourers living on this estate, beyond what the ordinary demand of private employers calls for, is about 2,200; and that the families of those labourers must henceforth be maintained, either by a provision of adequate extra employment, or by gratuitous relief of some kind, until they become permanently

* See page 13.

located elsewhere; assuming that the potato, from which they were formerly enabled to exist, is not in future to be calculated upon, and knowing that it has not in the current year been planted by this particular class.

Since forwarding the report above referred to, a law has been enacted, pointing out the method, by which families so situated are to be henceforth maintained, viz., by rates, either in the workhouse or for out-door relief, to be levied upon the electoral districts to which they respectively belong.

The Devon Estates are *at present* situated in six different electoral Divisions of the Newcastle Union, as follow:—

Electoral Divisions.	Valuation of Devon Estate.		Valuation of other Estates.	Total.
	£	About	£	£
Newcastle, .	6,998	$\frac{3}{4}$	4,319	11,312
Monagea, .	9,392	$\frac{3}{4}$	2,829	12,221
Killeedy, .	3,026	$\frac{3}{4}$	6,281	9,307
Mahonagh, .	464	$\frac{1}{8}$	9,335	9,799
Ardagh, .	1,319	$\frac{1}{8}$	5,814	7,133
Rathronan, .	7	$2\frac{1}{8}$	3,390	3,397
Total, .	21,201	$\frac{3}{4}$	31,968	53,169

It may be fairly assumed, that the number of superabundant labourers belonging to the other estates in the above-mentioned electoral divisions, would bear about the same ratio to the valuation of those estates, as the superabundant labourers of the Devon estate do to its valuation.

Superabundant labourers of Devon estate,	2,200
Do. of other estates included in the same electoral division,	3,300
Total of this class in the six electoral divisions,	5,500

It is clear that, if all the proprietors were to adopt the plan of instituting full employment for the labourers on their respective estates, there then would be no occasion to levy any rate or tax whatever to support the labourers or their families. But as the law now stands, if any proprietor neglects to employ his own indigent labourers, the cost of their maintenance must become as heavy a proportional charge upon every acre in the electoral district, as it does upon the particular acres of that proprietor's own estate.

During the past year, the only property in these six electoral divisions which has supplied extensive private employment, has been the Devon estate; and the fruitless effort made to call out similar exertions on other properties, has shown that there is nothing in that way to be expected.

If we assume that the proprietor of this estate shall make the requisite exertion to provide employment for its 2,200 labourers at a cost of £10 a head for the year, after allowing for the private

demand of harvest and spring, or a total cost of £22,000, the estate would still be liable to pay two-fifths of the rate levied, to maintain the superabundant labouring families of the other estates in the six electoral divisions; and this additional charge may be equal to the cost of maintaining the families of two-fifths of 3,300 labourers, or the whole charge of maintaining the families of 1,320 labourers from whom no return is to be obtained.

Thus, then, the probable account of the Devon estate would be, for the year, as follows:—

1st. For employment of 2,200 estate labourers, £22,000.

2nd. Rates for maintaining families of 1,320 labourers of other estates in the six electoral divisions, £13,200.

There is no degree of profit which can reasonably be expected to follow the employment of our own labourers, at a cost of £22,000, that would enable this estate to meet the additional charge of £13,200 a year, its proportion of rates for maintaining the idlers on the other estates of the six electoral divisions.

Any thing approaching even remotely to this very probable consequence of the system now in operation, would be absolute and irremediable ruin to every human being on the estate.

If this impending peril cannot be averted, therefore, I would earnestly advise the trustees not to incur the responsibility of borrowing money for employment, because an immediate and horrible crash would be inevitable. But I maintain that the impending peril, as regards this estate, can be averted in the simplest possible way, by merely inducing the Poor Law Commissioners to exert the power they possess, and to recast the six electoral districts referred to, forming this whole estate into two new electoral divisions, unencumbered with any other property.

If this alteration be made immediately, and that a sufficient loan—say, for the present, £10,000—can be obtained *without delay*, for judicious investment in labour on the property, there is no cause for apprehension.

But there is no time for hesitation or delay. The Government relief assistance is to cease on the 15th inst., only ten days distant, and the whole enormous burden of out-door relief, now borne by the Treasury of the united kingdom, is then to be transferred to the Poor Law Guardians, who are in this union already absolute bankrupts, and wholly unable to meet even the comparatively trifling charge for supporting the present inmates of the workhouse.

The guardians' checks have, for a considerable time past, been dishonoured at their bank; and they have been unable to make any progress in collecting the first half-crown rate which they have ventured to strike under the new Act.

I believe I am the only person almost in the union who has yet paid this rate; and if the police and military be employed to enforce it, I fear the rent offices may close.

The contractors have notified to the Guardians that they will not supply the workhouse with food for the inmates beyond the current week, as their accounts, showing large balances due to them, have not been settled; and under this state of things, the whole nominal responsibility of feeding the population is at once to be transferred

to the Guardians, a body of inexpert men, without either money or credit !!

I confess I can see nothing but peril around me; and as the absolute responsibility of this large estate rests upon me, I must now, with the greatest respect, remind the trustees that I long since, and repeatedly, forewarned both them and the Government of what is now fast approaching, as well as of the method by which the peril so close at hand might have been removed.

Having stated the only course which I can devise as capable of averting starvation from the labouring class of this estate, as well as ruin from its occupiers and proprietor, I must again earnestly repeat the request contained in my letter of the 1st of March last, that I may be relieved from the management of the property, unless that course be adopted, or some other equally efficacious, which the better judgment of the trustees may point out.

In conclusion, it may be well that I should advert to an alteration which appears to be required in the Land Improvement Act, 10th Vic., cap. 32, in order to remove every reasonable objection to its application on the largest scale that the exigencies of this country may require.

That Act contemplates the advance by Government of a million and a half of money, to be refunded by borrowers in twenty-two annual instalments, at the rate of $6\frac{1}{2}$ per cent. per annum.

It is probable that, in the present state of the money market, the Government could not themselves raise the money at so low a rate; and therefore, in executing this provision of the act, a loss at the present moment would be entailed upon the British Treasury. The practical effect of this would necessarily be, to raise an overwhelming host of Parliamentary opposition to the extension of the principle of further loans of a similar kind, whilst to that extension alone can we look for an improvement in our condition.

We do not require that any loss whatever should be incurred by the British Treasury.

It was unfair, formerly, to charge us a usurious interest or profit upon the accommodation thus given to us. It is unnecessary now that the Treasury should be exposed to any loss by affording us such accommodation, because the investment of the loans, if properly protected and restricted, and judiciously applied, must bring back a return amply sufficient to pay for the loans at the market rate of the day, and still leave a large profit to the borrowers.

I have the honour to be, my Lord, your most obedient servant,

J. P. KENNEDY.

To the Right Hon. the Earl of Fortescue.

No. VIII.

Newcastle, 24th August, 1847.

GENTLEMEN—The trustees of the Devon estates, in the county of Limerick, having made an application to your board for a loan of £10,000, under the provisions of the Act of 10 Vic., cap. 32, I have received their instructions to make a selection of the most fitting works on the estate for the investment of that amount, and to furnish the details for your consideration and approval.

In this selection I have been guided by two principles—first, that the works themselves should be of the most remunerative character, so as to insure a large and immediate return for the outlay to be incurred; second, that the works shall be so generally and conveniently dispersed over the estate, as to afford the means of employing, in their respective districts, the superabundant labourers who are not required by the ordinary demand of the farmers or other employers. The number of this class of labourers on the estate, who are now without their usual means of existence (the potato), has been accurately taken, and amounts to about 2,236. The number of souls dependent upon those labourers amounts to about 6,000; and the maintenance of those families, until they become permanently provided for in other places where they shall find a natural demand for their labour, must be supplied either by instituting remunerative employment, such as I am now about to propose, or by gratuitous out-door relief, to be paid for by a rate upon the property of the electoral divisions in which they reside.

The cost of their maintenance by the latter method, taken upon the present poor-house scale, would be about half-a-crown for each person weekly, or £6 10s. per annum—making a total sum of about £39,000 for maintaining in idleness, throughout the year, the superabundant labouring families of this one estate, of which the rental is about £16,000 a year, and the Poor Law valuation about £21,000.

It is quite clear that any attempt to maintain them on this principle, requiring a tax from the land equal to almost twice its whole value in the year, would be attended, first, by failure and confusion of every kind, because the collection of such a tax would be absolutely impossible, as the amount of it would not exist in the possession of the rate-payers; secondly, by the permanent ruin and starvation of every class of persons residing upon the property, including the proprietor, the occupiers of land, and the labourers themselves, in whose favour the effort would be professedly attempted.

It is under this conviction that the trustees of the estate have come to the determination of adopting the other alternative, and of seeking, by the aid of a loan under 10th Vic., cap. 32, to maintain their superabundant labouring families, by offering them productive employment until they can be located in other places, where a natural market for their labour may be found.

It is fortunate that this estate offers the most abundant resources

that can well be imagined for meeting the difficulty which now presses upon us.

The area of the property is about 35,000 statute acres, one-half of it being a level plain of a naturally rich soil, with a substratum of stiff clay, impervious to water, resting upon limestone, but only in a half productive state, from the want of drainage, which absolutely precludes the adoption of the profitable courses of tillage.

The other half of the estate is a waste mountain district, interspersed with occasional spots of tillage, its elevation varying from about 300 to 800 or 900 feet, and offers as fine a sample as any to be found in Ireland for reclamation. The surface in the mountain district is a stratum of peat, the greater portion varying from six inches to two feet in depth, and lying upon good clay. There are also deep districts of bog, which, from the great demand for fuel to supply a dense population on a semicircle of sixteen miles radius to the north of these hills, may be considered by far the most valuable portion of the estate; the usual rate paid for permission to cut turf being about £4 or £5 an acre, when the hogs are well situated, as they are here; although this valuable property has not heretofore been turned to account on the Devon estates, the localities having been nearly inaccessible, from the want of roads; and the principle of selling fuel to strangers not having been adopted until the present year.

Thus we find the whole of this extensive district in a comparatively unproductive state, with its enormous resources pent up, from the mere want of a judicious application of labour, whilst we are exposed to a demand for maintaining in idleness 2,236 labourers and their families.

Under these circumstances, the nature of the projects being fifteen in number, which I am justified in recommending in reference to the sum of £10,000 applied for by the trustees, would be of three classes (see accompanying index map, with schedule containing the summary of projects) viz.: the first class, for drainage in the plain district, embracing projects Nos. 1, 2, and 3, amounting to £3,597 15s.

The second class for reclamation of waste land in the hill districts, comprising projects Nos. 4, 5, 6, 7, and 8, amounting to £5,225.

The third class, for farm and turf roads, comprising projects Nos. 9, 10, 11, 12, 13, 14, and 15, amounting to £1,177 5s.

If a slight change be immediately made in the boundaries of some of the electoral divisions of this union, preparatory and *essential* to the expenditure of the funds contemplated; and if that expenditure be immediately sanctioned, so as to avert the necessity of any heavy levy or tax being taken from the rate-payers for out-door relief to the able-bodied labouring families, our tranquillity and prosperity will be secure. But if there be any delay in these matters, such as to force a recourse being had to taxation for their support, a derangement will immediately take place in the relations of society throughout the district, that will be afterwards irremediable.

The method I adopted in preparing a former project and application for a loan, which was granted by your board for the Ehernagh Drainage, I have found to answer well in its practical application.

I allude particularly to the benefit which arises from letting the occupiers of farms *seek* to have their lands improved by me, rather than that I should try to force them to it; and the mode by which I accomplished this desirable principle was, by abstaining from pointing out the precise acres or farms in the drainage basin which were to be worked upon, but reserving the power to select for improvement, up to a specified number of acres, any portion of the lands situated within the basin, which comprises a much larger extent than the quantity to be improved.

I have thus obtained a willing co-operation and competition amongst the occupiers to have their farms selected, although most of them would probably have resisted the operation had I sought to urge them to it. In the projects which I now forward, I have thought it right, in some cases, to adopt the same principle, as will appear from the examination of these projects in detail.

I have the honour to be, gentlemen, your obedient servant,

(Signed)

J. P. KENNEDY.

To the Commissioners of Public Works, Ireland.

No. IX.

Newcastle Board-room, November 9, 1847.

SIR—In compliance with the desire of the Newcastle Board of Guardians, I have the honour to forward the accompanying papers for the consideration of your Board.

I am, Sir, your most obedient servant,

K. MOONE, *Clerk of Union.*

To the Chairman
of the
Board of Guardians.

At a meeting of the Guardians, held at Newcastle, on Tuesday the 9th of November, 1847, MICHAEL LEAHY, V.C., in the Chair, and the following Guardians present:—Thomas Locke, J.P., Captain J. P. Kennedy, J.P., W. H. De Massy, J.P., Eyre Massy, J.P., William Murphy, David Leahy, Thomas Enright, J. F. Cremin, Jeremiah Fitzgibbon, John Carmody, H. M. Gun, David Hanigan, Matthew O'Donnell, Edward Irwin, Charles Plummer, James Wigmore, Edmund Wolfe, Michael Leahy, V.C., John Dowling, Thomas Fitzgerald, Edmund Sheehy, esqrs.

Proposed by THOMAS LOCKE, J.P., and seconded by CHARLES PLUMMER, Esq.:—

That, as our daily experience and consequent anxiety increase as to the disastrous effects that the maintenance of the destitute able-bodied labourers and their families, by means of rates, must produce upon all classes of society; and as we are without a hope of seeing capitalists of judgment venture to invest the requisite outlay on their lands, to afford full employment to the labouring class, and so prevent the destruction attending their support by rates, unless the present principle of common rating be altered—

Resolved—That a copy of the paper framed by Captain Kennedy on this subject, together with a copy of the resolutions in reference to it, passed by our Board on the 19th and 26th of October last, be forwarded by our Clerk to each Board of Guardians in Ireland, with the earnest hope that they may be induced to give an early consideration to this vital subject; and if they feel convinced of the importance of the proposition, that they will lend their aid to promote the general adoption of the principle throughout Ireland.

Carried unanimously.

(Signed),

MICHAEL LEAHY,
Chairman.

No. X.

OBJECTIONS to making Poor Law rateable Districts co-extensive with Estates, considered and answered.

OBJECTIONS.

1. That, instead of seeking to reduce the limits of rateable districts, the general tendency of public opinion, particularly in England, is rather to generalize and enlarge; and that, therefore, a union rating would be a more reasonable proposition to advocate, than any restriction more minute than the present electoral divisions.

ANSWERS.

It is essential, in considering this and all other questions affecting Ireland at present, that a distinct and particular numerical value should be given to every branch of the argument for and against it; so that vague generalisms shall not be permitted to set aside a useful principle, when every useful principle that can be brought to aid, will still barely suffice to carry this country through the extraordinary difficulties that beset her. It may, or it may not, be desirable for a country, under ordinary circumstances, to have its rates or taxes pressing uniformly over large areas; and countries ordinarily circumstanced can, without much danger, afford ample time for the discussion of all such abstract problems.

In the question of Ireland, the first point for consideration is, that her enormous mass of labouring families, *having lost their usual means of existence*, must henceforth be maintained either upon rates, in idleness, or by employment, expressly instituted for their support. If rates be depended on as the means, all admit that the country must be ruined, because the amount required would be beyond all power of payment. If the owners of land can be impelled to institute employment to the extent required, all equally admit that the country will be saved, because *ample employment can be supplied in almost every district, which shall render a most profitable return for the investment*. Rates, then, are not to be considered as the available means for supporting the poor, but merely as an impelling power, by which proprietors are to be induced to support them, by the alternative of offering profitable employment. This impelling power will not affect them whilst acting in an extensive community with each other, because each

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will reasonably feel that the crushing evil is likely still to press upon him, even after his utmost exertion has been made, and successfully made, as far as the obligations affecting himself extend. But take him out of this community, and enable him, by a vigorous exertion, to secure himself against ruin, independently of the conduct or acts of his neighbours, and the most apathetic will become energetic.

The benefits of his energy will revert to himself, and those poor people for whom he is responsible.

The evils of his neglect, in like manner, will fall exclusively on his own head.

2. That, to make rateable divisions co-extensive with estates, would offer an inducement to proprietors to clear off the population, without providing for them elsewhere.

The very reverse of this would be the effect. The desire of proprietors and rate-payers to remove superabundant labouring families, is now at a maximum. Because their support in idleness must be derived from the unproductive outlay of rates; and the only way of escaping from this cost, would be, by the total removal or death of the poor people. But if the proposed alteration be made, each proprietor who can institute profitable employment, and borrow the requisite means under the Land Improvement Act, will at once see a course by which the people can be supported, with gain to himself and his tenants. Hasty clearances would thus be reduced to a minimum. Besides, the law, even at present, recognises a right of settlement, which would at once defeat such a scheme; and if the law on this head be not sufficiently stringent, it can be easily amended. It might even be desirable to extend the retrospective right of settlement, so as to fix the paupers' support on the rateable division or property, from which they had been originally "cleared." This would defeat not only future, but former speculations on this subject.

3. That, by making estates more dependent than they are at present on their respective and separate resources, many villages, town suburbs, and densely-peopled rural districts, would be found incapable of

The greatest possible injustice and discord already exist, under the present state of things, as regards this branch of the subject; and I believe that few unions are to be found where intrigues and counter-intrigues have not been used by the influential proprietors and rate-payers to remove such localities from rateable connexion with their own particular electoral divisions, and to fasten them upon their

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raising the taxes requisite for the support of their own poor.

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neighbours—the question generally ending by an arbitrary decision of the Poor Law Commissioners, attaching the objectionable spot as an incubus upon some particular electorate, which, being a small district becomes seriously injured thereby.

Such intrigues ought to be made impossible, by arranging that all localities of this class which are distinctly proved incapable of levying locally the rates requisite to support their impotent poor, or of providing profitable employment for their able-bodied labourers, should be brought into a distinct schedule; and that the balance required for their need, beyond what their own means respectively could supply, should be levied as a union or national rate. And such a principle would be equally required, and equally applicable, whether the rateable districts remain as at present, or whether they be recast, in accordance with the limit of estates.

Villages and towns are called into existence by the necessities of considerable rural districts, to which they supply the commercial and manufacturing, or artisanic conveniences which society requires; and therefore the whole district, and not merely a selected or friendless portion of it, should bear the charge of that increase of poverty which is generally found to exist in small towns or large villages.

4. That those proprietors who have already cleared their estates, and who, in some instances, may have done so without any sympathy or regard to the welfare of the people so removed, would obtain the full benefit of their acts, and become permanently exempted from taxation for the support of their expelled poor; whilst other districts would be obliged to bear this burden, not of right belonging to them.

Supposing that this result should occur, it does not appear to be either of that extent or importance that would justify the withholding of a vital general measure. Suppose that those who have cleared their estates, without providing for the unfortunate people thereby removed, may amount to one in every hundred of the proprietors, it would be somewhat absurd, that, in order to punish the one, ruin must be decreed against the whole of the remaining 99, with all their dependents, who are not guilty of any such offence.

But there is no reason why properties of these classes should wholly escape taxation. It is, on the contrary, desirable that every class of property should contribute towards the sacred obligation of maintaining the poor; and it is very easy to provide that

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And that grazing districts would likewise escape taxation.

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every class shall so contribute, without levying the contribution on a clumsy principle, that shall crush all enterprise calculated to increase the value of property and to diminish the amount of pauperism.

The clause introduced to the original act, 1 & 2 Vict., chap. 56, sec. 18, in respect to rateable divisions, was clearly intended to stimulate the owners of property to the improvement both of the lands and of the condition of their occupiers; but, unfortunately, the administrators of the law have either misunderstood the spirit of that clause, or they have neglected to use it in its true spirit. The mode by which the spirit of that clause can be fully carried out will be—

1st. By making the rateable divisions for the support of paupers co-extensive with estates.

2nd. By extending the present principle of union rating into a general and uniform national rating, to meet all the general charges, staff, &c.; in short, every cost, except the absolute food of the paupers, chargeable to particular divisions.

It appears desirable that the present portion of the rate levied as a union rate, should be converted into a uniform national rating, to a limited amount at least for some years to come, in order to make those portions of territory assist which have hitherto failed to contribute towards supporting their due share of the population; and that this fund should be likewise chargeable for assistance, even to provide food for the poor of those localities contemplated in No. 3, after a special investigation and report shall have convinced the Commissioners that the *whole or some settled proportion of the proceeds* of such localities are inadequate to support their poor; and after, likewise, ascertaining that such localities offer no *profitable* means of giving additional employment by the increased attention and energy of the proprietors and occupiers.

The union, or national portion of the rating, might, in such cases, be also chargeable for *assistance* towards the emigration, or location upon waste lands, of families from these localities.

The broad principle of rating would thus be as follows :—

First—Rates to be levied on separate districts, co-extensive with estates, for the feeding of poor persons either in the work-house or out of doors; and for assisting them to obtain permanent locations elsewhere, either by emigration, or by placing them on waste-land settlements. The amount of such rating may extend to the full value, or to some settled proportion of the value of the property.

Second—General union rates of limited and uniform amount over the whole kingdom to be levied for the maintenance of the general establishment, and for assisting, by food, emigration, &c., those localities which may have been ascertained as unable, by the application of their whole means, or of some given proportion of their means, to support their poor.

The adoption of the foregoing principle would remove the palpable injustice, and the crushing and paralyzing tendency, which characterize the operations of the Poor Law at present. It would excite to the utmost the exertion of every owner of property in raising the condition of his people, because it would, in fact, confiscate his property if he remained inactive; at the same time, that it would enable him to act individually, and without looking for the concert of others, and give to him and his people all the profit of his exertions, whilst it removed him from the crushing responsibility of co-partnership with his negligent neighbours.

Admitting fully, that the maintenance of the poor should be the first charge upon every class of property, even up to its fullest value if requisite; it still would appear desirable that those proprietors who exert themselves successfully to maintain their own poor, should be relieved from having their property inevitably confiscated to the Poor Law Guardians; and that those proprietors only who make no exertion, should bear the full consequences of the existing law.

5. That it would be unjust and impolitic to.

The opposition of any party to so just and essential a principle, can only proceed

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alter the present rateable divisions, unless with the consent and approbation of the parties interested or connected in the existing arrangements, many of whom it is assumed would object to a change, making each property responsible only by itself.

6. That if any alteration be made in the boundaries of electoral divisions, to meet the wishes of any interested parties, it would produce many other similar applications, which must in fairness be granted; and that the numerous, if not general changes thus likely to follow the Commissioners' favourable consideration of any one case, would be attended with enormous labour to the Poor Law department, calculated to arrest its ordinary operations for some period to come.

7. That numerous small rateable divisions, such as would

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from the speculation of persons, who are not themselves disposed to invest money, or use exertions to place their people and their property on an improved and wholesome footing; but who would be anxious to appropriate a portion of the benefit of other proprietors' exertions and expenditure.

It would be most unjust to attend to the objections of such men; and the impolicy of attending to them would be immeasurable; as the effect must be, to arrest at once the exertions of every man of judgment so trammelled, and thereby render general and inevitable the national ruin which now threatens us, and which, by the removal of this unjustly forced and paralyzing community of property, might easily be averted.

If the vital necessity of making the change be not distinctly shown, then no change should be made; but if it can be clearly proved, that the whole connexion and framework of society depends on this simple change being made—that without it, disorganization must assuredly arise, and the ruin of all classes must be inevitably completed; then it is clear, that whatever temporary trouble and labour to the department the change may create, it should be effected: and that numerous applications for this separation will be the most healthy indications that could occur in the country; as each application will indicate an active intention to arrest poverty; and if granted, it will be the harbinger of peace and plenty in the district to which it refers; and, also, that the more rapidly and generally the full change is brought about, the better.

But it does not appear that there should be any great trouble or inconvenience attending this change. I believe it could be fully effected within one month all over Ireland; and I would earnestly refer to the opinion of Mr. Griffith on this point, whose long experience as sole Commissioner of Valuation in Ireland, would probably enable him to remove many of the imaginary difficulties which may alarm the minds of persons less practised on this subject.

It is by no means requisite, that each rateable division should be represented by a separate Guardian. There can be no

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grow out of any general attempt to make them co-extensive with estates, would have the effect of increasing the number of Guardians in each Board, to an inconvenient extent, that would, in fact, make the practical working of the department nearly impossible.

8. That the settlement of the balance of rates, whether to the debit or credit of particular electoral divisions at the time of any change in the boundaries, would entail a difficulty, and that this difficulty is not provided for by the existing law.

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reason why any convenient number of small and separately rateable divisions, should not combine for the single act of electing a common Guardian; such a proceeding would by no means interfere with the broad principle of representation now in operation. We find at present a vast variety in the size and value of different electoral divisions; one, for example, being as low as £331, whilst another reaches £402,516, or the larger being 1,216 times the value of the smaller, with innumerable intermediate varieties of value. The irregularities in the areas, amount of population, and shape of these divisions being equally striking, one is obliged to give up in despair the effort to discover any philosophical principle, that may have been adopted in their original formation.

It is scarcely possible to imagine a less valid objection than this, standing in the way of a vital national benefit.

The law clearly gives to the Poor Law Commissioners the power to change the boundaries of electoral divisions, when they shall think fit. Can it be imagined, that this power does not in itself convey the power of settling the account of such division, which is requisite in making such changes.

If any electoral district so circumstanced be in credit, it is a very simple question of account to fix the portion due to each part of it upon the new division, and to allow these respective portions or balances to be brought to the credit of the respective parcels of land to which they belong in their new accounts.

If any division be in debt when a change is decided upon, that is settled by immediately striking a rate before the change occurs, just sufficient to pay off the debt.

The whole of this objection appears invalid; but if it should still prove insurmountable, a little clause amending the Act will at once set it aside.

It is particularly desirable, after the broad sacrifices made by the British Government and the British people individually, as exhibited in the munificent contributions offered by them to relieve the sufferings of this country, under the late visitation; that all the administrative arrangements connected with this subject should be placed

upon a basis, that will still further convince the Irish people of the kind disposition of the British nation towards them. And nothing could tend more directly than a philosophical administration of our affairs, to counteract the mischievous efforts of repudiators, who would now deny the right to pay back our fair and just debts, contracted when our existence depended upon the sums which Great Britain supplied to us in our day of need.

In conclusion, whilst canvassing the merits of vicarious taxation, let us, ere it be too late, calmly look at its operation, and the estimate in which it is held, even in a less civilized country. Sir Charles Napier, in his "strictures on the results of Mehemet Ali's rule," says, "his mind is capable of projecting clever things for his own supposed advantage, or pleasure, or renown; but incapable of great works for the regeneration of a people, or even for their temporary advantage. He does not even leave the means of subsistence in their possession. To give an illustration of his system: let A be one district, B another; the rent is alike for each; some accident injures the crop on B, and it becomes impossible for the people to pay more than half their rent; the Pasha levies the deficiency on A; and both are ruined."—*Conquest of Scinde*, part i., page 7.

Little thought the enlightened conqueror of Scinde, when his feelings of common justice were outraged by the policy of Mehemet Ali, that through a misapplication of a legislative enactment, a system liable to the same objections, and calculated to produce similar results, should be impending in his native country.

J. P. KENNEDY.

Merrion-square, 16th September, 1847.

No..XI.

At a meeting of the Guardians held at Newcastle, on Tuesday, the 19th of October, 1847, MICHAEL LEAHY, V.C., in the chair, and nineteen Guardians present—

A paper was read by Captain KENNEDY, with respect to objections to making Poor-Law rateable divisions co-extensive with estates considered and answered, and the following resolution adopted unanimously:—

Proposed by THOMAS LOCKE, esq., seconded by HENRY SHEEHY, esq.:—

That Captain KENNEDY's answers to the objections to making Poor-Law rateable divisions co-extensive with estates, and his views respecting the important advantages to be derived from such an alteration of the present system of rating, be brought before the consideration of the Board at their next meeting, and that our clerk be directed to draw the attention of the several members to the subject, and more particularly with a view of making a separate rateable division or divisions of the Devon estate.

No. XII.

At a meeting of the Guardians held at Newcastle, on Tuesday, the 26th of October, 1847, MICHAEL LEAHY, esq., V.C., in the chair, and the following Guardians present, viz.:—Thomas Locke, J.P., Captain Shelton, J.P., William Cox, J.P., Captain Kennedy, J.P., Bryan Sheehy, J.P., Francis Sullivan, J.P., William Murphy, David Leahy, John F. Cremin, Jeremiah Fitzgibbon, John Carmody, H. M. Gun, David Hanigan, Matthew O'Donnell, Edward Irwin, James Wigmore, Michael Leahy, Thomas Fitzgerald, and Edmund Sheehy, esqrs.

Proposed by THOMAS LOCKE, J.P., seconded by FRANCIS SULLIVAN, J.P.:—

That having considered the various bearings of the subject contained in the paper submitted by Captain KENNEDY, in reference to the limits or composition of districts rateable under the Poor Law—

Resolve—1. That we view with the greatest possible apprehension the alarming proportion of destitute labouring families throughout Ireland, and more especially those placed under our own responsible superintendence in the union of Newcastle, who are without their usual winter store of food, and for whom the ordinary demand of employers is wholly insufficient to furnish support.

2. That those superabundant families must be supported in idleness, by rates levied from the proprietors and occupiers of land to an amount that must ruin both these classes, and in the end leave the labourers themselves unprovided for; unless an impulse can be given to the investment of capital on permanent reproductive works of improvement, such as drainage, reclamation of waste lands, mining projects, &c., of which our union, and we believe, most other districts in Ireland, could furnish an ample supply to meet the employment of the superabundant labourers.

3. That this impulse cannot be produced unless by giving to the investors of such capital some security against the crushing pressure of rates which may come upon them under present arrangements, even after they shall have amply provided for the poor of their own properties by employment.

4. That without some such security it would be unreasonable to expect capitalists to invest the large sums of money which the exigency would require, because after having so done, they might still find their property, including all such outlay, virtually confiscated to the Poor Law Guardians to meet the rates thrown upon it by the pauperism of neighbouring-neglected properties included in the same electoral districts.

5. That the only security which we can suggest, as calculated to encourage investment in the improvement of property and the employment of superabundant labour, would be that of reforming the rateable divisions of each union in such a way as to give to every owner of land desirous of engaging in this vital undertaking, his property in a separate rateable district unconnected with any other property.

6. That we therefore press upon the Poor Law Commissioners our earnest conviction of the absolute necessity of revising the rateable divisions in every union throughout Ireland, with a view to make each property where any considerable relative outlay is proposed to be invested a distinct rateable division. And we beg to call the Commissioners' attention to the fact, that the rateable or electoral districts at present existing, appear to consist of a vast variety of intermediate degrees of value from £402,516 down to £331.

7. That we further, and still more strongly, press upon the Commissioners the necessity for the immediate adoption of the principle we have urged in the Poor Law union of Newcastle, the district in which we are responsible for the support of the poor, as we cannot conceive any other measure, without this as an adjunct, which can render their support, humanly speaking, certain, or even probable.

8. That we would request the special and immediate attention of the Poor Law Commissioners to the memorial of the trustees of the late Earl of Devon on this subject, their estate forming a considerable proportion of our union, containing a large town with an unemployed population, as well as some very poor and densely-peopled rural districts.

And we would strongly urge the forming of this estate into one or more separate rateable districts, as, if this step were taken, we are aware that extensive employment for the poor of the estate would immediately commence; and the Guardians and Rate-payers would thereby be relieved from the heavy charge of providing for the labouring families of that extensive portion of our union.

Carried unanimously.

(Signed,)

MICHAEL LEAHY,
Chairman.

No. XIII.

LETTER from the SECRETARY of the POOR LAW COMMISSIONERS to the GUARDIANS of the NEWCASTLE UNION, in reference to Estate Electoral Divisions.

No. 26,594—D, 47. NEWCASTLE UNION.

Poor Law Commission Office, Dublin, 15th November, 1847.

SIR,—1. The Commissioners for administering the Laws for relief of the poor in Ireland, have had under their consideration, the memorial of the trustees of the estates of the Earl of Devon, in which the memorialists request, that the electoral divisions in which the estates of the Earl of Devon are situated in Newcastle Union, may be so altered as to comprise the whole of such estates, exclusively, in one or more electoral district or districts. The Commissioners have also had under consideration, various documents in which the propriety of acceding to the request of the memorialists, has been pressed upon them by Captain Kennedy, the agent for those estates; together with the numerous letters in which other proprietors in Newcastle Union, have expressed their own opinion respectively, on the same subject.

2. The Commissioners have given much consideration to the request of the memorialists, not only on account of the magnitude of the interests which would be immediately affected by the proposed alteration of the Electoral Divisions in Newcastle Union, but likewise, on account of the great general importance of the principle which such an alteration would involve, and of the long train of practical consequences which would necessarily result from it in every part of Ireland. That principle, when fully stated, is no less than this, that estates of landed proprietors should become an area of taxation for Poor Law purposes. For it is fully admitted, that if the principle is sanctioned in reference to the estates of the Earl of Devon, it must, in fairness, be extended to the estates of other landed proprietors in Newcastle Union; and it is obvious that the principle, if admitted in Newcastle Union, could not be restricted by the Commissioners to that Union alone, but that they would be eventually called upon to extend its application fairly and impartially by remodelling, in reference to it, the electoral divisions to all the Irish Unions.

3. The question, therefore, which the Commissioners now have to determine is, whether they are prepared to act on the principle of making the estates of landed proprietors an area of taxation for Poor Law purposes? And after the closest consideration which the Commissioners have been able to bestow on the subject, they have arrived at the conclusion, that even supposing that the principle were in itself both practicable and expedient, (on neither of which points do the Commissioners propose to express any opinion on the present occasion,) it would be improper for them, as a purely administrative body, to act on that principle, unless it previously received the deliberate sanction of the legislature.

4. The grounds on which the Commissioners have arrived at this conclusion are the following:—

5. The principle of making estates an area of taxation does not seem to have been adopted by the legislature in any part of the united kingdom. Omitting notice of towns, cities and boroughs, and the penalty which may be inflicted on townlands in Ireland for malicious injuries, it will be found on examination that the area of taxation in Ireland consists of parishes, baronies, electoral divisions or unions—in England and Wales, of parishes, hundreds, townships, unions, ridings, or counties, and in Scotland, of parishes or counties. It sometimes indeed happens, that owing to circumstances, the boundaries of an estate are identical with the boundaries of a parish or an electoral division; but still the Commissioners believe it to be undeniable, that the making an *estate, as such*, an area of taxation, is a principle wholly unknown to the law.

6. Now, the Commissioners are precluded from supposing that this silence of the law on the subject, has arisen either from indifference or from the idea not having presented itself to the mind of the legislature. It is a matter of notoriety, that the principle of taxation by estates, has in one form or another, been frequently advocated as one means of remedying the calamities which have been occasioned by the failures of the potato crop during the last two years; and at the period when the Irish relief extension act was under discussion during the last session, the principle could not have

escaped the notice either of government or of parliament. The Commissioners, therefore, feel justified in assuming that parliament may be regarded either as having virtually rejected the principle, or at any rate, as having arrived at the conclusion, that its immediate adoption was not desirable.

7. The Commissioners are fortified in this view of the question by the consideration, that even assuming the principle to be in itself practicable and expedient, its adoption would produce obvious inconveniences and injustice, unless accompanied by further alterations in the law of rating, and of chargeability on electoral divisions. For example, it is evident that one of the immediate effects, as the law at present stands, would be, in many instances, to cause the pulling down of cottages, to give a stimulus to clearances from Estates, and to throw an undue and overwhelming burden on certain localities, such as small towns or large villages, in which, owing to the great number of proprietors, there would be no systematic unity of action to prevent the influx of ejected tenants and of persons bordering on pauperism. The fact that such localities would become unduly taxed in the present state of the law is fully conceded; and in order to obviate the palpable injury which would be inflicted on them, it is proposed, that when their poor rates exceed a certain amount the balance required for the relief of their destitution should be levied either as a union or a national rate. But without entering on the question of whether a union rate or a national rate in such cases, would or would not be expedient, it is evident that no such rate could be made without an alteration of the law, and without admitting principles of taxation for Poor Law purposes, different from those sanctioned by Parliament in any part of the United Kingdom.

8. Under these circumstances the Commissioners are of opinion that they would not be justified as an administrative body, in introducing the principle of making estates an area for taxation, to which, in point of fact, the proposition now before them is confined. They think that the principle, if adopted at all, should previously receive the sanction of the legislature, that the carrying it out would be unjust and oppressive to particular localities, unless accompanied by alterations in the existing laws; and they therefore feel bound, to decline complying with the request of the memorialists respecting the estates of the Earl of Devon, in Newcastle Union.

I have the honor to be, SIR, your very obedient Servant,
W. STANLEY, *Secretary.*

No. XIV.

LETTER from CAPTAIN KENNEDY to the Secretary of the Poor Law Commissioners, in reply thereto.

27, Merrion-square, Dublin,
10th December, 1847.

SIR,—I have the honor to acknowledge the receipt of your letter, dated the 15th November, conveying the Poor Law Commissioners' rejection of an application praying that the Devon Estate might be made into separate electoral divisions, and removed from a community of rating with other properties.

The decision is one of so much national importance, involving, as it does, a general and vital principle in which the whole empire is deeply interested, that I have thought it right, to put numbers to the paragraphs of your letter, and to answer the most important of them—*seriatim*.

In paragraphs 2 and 3 you assume "that if the principle is sanctioned in reference to the estates of the Earl of Devon, it must, in fairness, be extended to the estates of other landed proprietors in the Newcastle Union; and thence to all Irish Unions. That the question therefore, which the Commissioners now have to determine, is, whether they are prepared to act on the principle of making estates of landed proprietors an area of taxation for poor law purposes?"

And in paragraph 7, you say that it is already conceded, that in certain districts the principle could not be fairly brought into operation without additional legislative provisions.

In these statements, the Commissioners have taken, generally speaking, a correct and sound view. I have advocated the measure now before them, ever since the first enactment of a poor law for this country, upon the grounds of its general necessity. And I did not imagine, that any one particular locality could be brought to, or maintained in a healthful state, if the surface all around it were exposed to a destructive or depressing influence. But, if on a fair consideration of the principle, it can be shown to possess extensive advantages, then it would be the undoubted duty of the Commissioners to bring it into operation as far as this can be done without additional legislation. And to provide for those cases where any additional legal provision may be requisite, the Commissioners would naturally see the necessity of obtaining such legislative powers with the least possible delay.

It is clear, that the government and the legislature will be very slow to listen to any suggestion for amending the poor law, unless it be sustained by the official administrators of the act.

In paragraph 3, you say that the Commissioners do not propose to express any opinion on the present occasion, as to whether the principle in itself be practicable or expedient, but that it would be improper for them to act on the principle, unless it previously received the deliberate sanction of the legislature.

And yet in paragraph 7, you state that one of the immediate effects, as the law now stands, would be, in many instances, to cause the pulling down of cottages—to give a stimulus to clearances from estates, &c.

Here we find, that after having professed to abstain from entering upon the merits of the proposition, the Commissioners bring forward an argument against it, which, if correct, ought at once and for ever to set the question aside. This assumption, however, is not only quite untenable, but the very reverse of what must be the effect of the measure. In fact, if community of property-rating be continued, the stimulus to clearance must be at its maximum; because the healthy principle of proprietor's investment for employment by which the superabundant labourers might be profitably supported would be at a minimum, and the only means of removing the pressure caused by the maintenance of the labouring poor from the rates, would be by their effectual removal or death!

My strongest motive in pressing the principle I have advanced, is precisely that it would be the most effectual protection to the labouring classes against the very danger that the Commissioners assume it would augment.

But again, the Commissioners appear to forget the clause in their own act, which provides, that if the poor people were cleared off any locality, they have still a right to support from the electoral district in which that locality is situated!

I regret very much that the Commissioners should not have entered into a full discussion of the arguments for and against the principle which I have put forth in my paper, dated the 16th of September last. As, however, imperfectly I may have there dealt with the question, the Commissioners acknowledge in par. 2 of your letter, that it is a question of great general importance and magnitude. And they will find out in time, that if any delay be permitted in its settlement, the evils which I have predicted must fall upon the country, and they will then be *irremediable*. If large rates for poor-house or out-door relief of labouring families be levied from the farmers, they must necessarily, to a great extent, fail in paying their rents. And they will make the payment of such rates a pretext for non-payment of rent even to a much larger extent than the amount of the rates would justify. It will be obvious to the Commissioners how this derangement, and consequent sacrifice of the class of proprietors, will re-act with ruinous consequences not only upon the farmers, labourers, and paupers, but likewise upon every industrious class and profession in the country.

It is equally obvious, that the most striking and beneficial effect of what is proposed would be much more directly felt by the classes of labourers and farmers than even by the proprietors, because the labourers would be supported on a natural footing by the investment of the proprietors' funds, and without the necessity of workhouse tests to justify a scanty sustenance. Whilst the farmers would be immediately relieved from the charge of heavy rates required to purchase that sustenance.

Pars. 3, 5, 6, and 7, argue, as the grounds of the Commissioners' rejection of the proposition, that the legislature have not authorised the principle of making electoral districts co-extensive with estates.

And yet in your original poor-law act, 1 & 2 Vic., cap. 56, sec. 18, we find the following:—"And be it enacted, that the Commissioners MAY DIVIDE ANY UNION INTO ELECTORAL DIVISIONS for the election of guardians, AND MAY ALTER ANY SUCH DIVISION FROM TIME TO TIME AS THEY MAY SEE FIT, so nevertheless that in making or altering such electoral divisions no townland shall be divided: Provided always that WHENEVER ONE OR MORE TOWNLANDS, LYING ADJACENT, SHALL BE THE PROPERTY OF ONE or more proprietors, who shall be rated instead of the occupiers of such property as hereinafter provided, and who shall serve notice in writing to that effect upon the Commissioners. The said Commissioners shall be at liberty, if they shall deem it expedient, TO FORM SUCH TOWNLAND OR TOWNLANDS INTO AN ELECTORAL DISTRICT."

This is assuredly not only a permissive but a suggestive authority

of the legislature in favour of the principle—yet, in par. 6, “the Commissioners feel justified in assuming that Parliament may be regarded either as having virtually rejected, or at any rate, as having arrived at the conclusion, that its immediate adoption was not desirable.”

And in the face of the above quoted section, you further state, at par. 5: “but still the Commissioners believe it to be undeniable, that the making an estate, as such, an area of taxation is a principle wholly unknown to the law;” whilst again you say, that “it sometimes indeed happens, that owing to circumstances, the boundaries of an estate are identical with the boundaries of a parish, or an electoral division.”

To the sagacity of his grace the Duke of Wellington, we owe the restriction of rateable districts down to electoral divisions, with a view to the localization of the rates; and when one reads the debates containing his arguments, the motives are quite apparent which influenced him and the legislature in adopting the 44th section as an amendment upon the original mode of rating proposed; and taking this amendment in conjunction with the 18th section, there can be little doubt that the same motives, had the present circumstances of the country then existed, would have made the adoption of the principle contained in the latter part of the 18th section compulsory with the Commissioners, instead of leaving it merely discretionary.

As to the existence of legislative authority for the change sought by the Newcastle Board of Guardians, and refused by the Commissioners, there cannot be the smallest doubt.

In par. 7, having overlooked the declaration put forth in par. 3, that the practicability or expediency of the principle itself was not to be discussed. It is there stated as an objection to the principle, that in certain localities, “OWING TO THE GREAT NUMBER OF PROPRIETORS, THERE WOULD BE NO SYSTEMATIC UNITY OF ACTION, &c.

I rejoice that the Commissioners have discovered this fact, and admitted its weight. It is the broad and incontrovertible argument which forms the basis of the whole measure I have proposed. If “systematic unity of action” could be obtained amongst the great number of proprietors now mixed up in a community of rating, in the existing electoral divisions, there would be no necessity for troubling the Commissioners on the present subject.

The Commissioners have admitted the hopelessness of obtaining this systematic unity of action—but they evidently have not considered the consequences that the absence of it must lead to upon each individual property, chained as the land proprietors now are in small communities by the administrators of the Poor Law, who have thus deprived each individual proprietor possessing judgment, of all power of beneficent action.

They cannot deny that the very *existence* of the population must depend, under their own present arrangement, upon a systematic unity of action amongst proprietors, whilst they honestly admit that this unity of action cannot be obtained; and yet they condemn us to the destructive consequences that their own argument proves must follow.

The Commissioners may not be aware that this country offers ample experience of the destructive effects that a similar community

of responsibility was produced in the farming class. It is, however, notorious to every one acquainted with Ireland, that where farmers hold land in common, neglect of their affairs, idleness, the withholding of all investment for solid and essential improvements, poverty of the individuals, and exhaustion of their land are the invariable consequences. And yet the principle of a united or common responsibility, which is known to be the cause of these consequences amongst the farming class, and which every one is seeking to remove from that class in the cases where common holdings exist, is now ingeniously and universally forced upon the whole class of landed proprietors, by the administrators of the Poor Law. And it must produce amongst them similar impediments and inactivity, just at a crisis, when every impulse to their exertion would prove barely sufficient to save themselves, and all other classes in the country from utter ruin.

It will be well worth the labour if the Commissioners will pass in review, the errors and their consequences, that have already occurred in dealing with the visitation that has been permitted to fall upon this country, in the failure of the people's food for the two last seasons.

On the ascertained evidence of the first extensive failure towards the close of the year, 1845, many others, as well as myself, pointed out the natural way in which the difficulty should have been met, by facilitating and concentrating the exertions of all classes interested in land, to the broad subjects of land improvement, and the introduction of a more judicious and enriching system of tillage. But, unfortunately, this broad principle of relief was not listened to—on the contrary, enormous sums of money were most generously contributed by our Government; but they were applied, not in preparing the country to maintain itself, through the following and future years, independently of such aid. They were applied on a principle, which necessarily tended to aggravate our future distress, and to render us afterwards more entirely dependent on charity. Instead of concentrating the labour of the population on their fields, it was extensively abstracted from them, and applied to the construction of public roads, which, in many cases, without disparagement to the Board of Works, were worse than useless.

The effect of this misapplication of the nation's labour, has been attended with the most disastrous consequences.

From the moment the Relief Commission was appointed in November, 1845, even the usual small amount of agricultural exertion appeared to be suspended; and all classes looked to the Commission and the Government, for a declaration of their intentions.

This was the critical moment at which a small degree of practical acquaintance with the general condition of the country, and some feeling of the responsible position which the Commission was placed in, not only as regarded the current, but future years, would have enabled the Commission to relieve the then existing distress, and to diminish its recurrence in future.

Having advised the Government, as shown in accompanying paper, No. 1, I urged the Commission, as their secretary, at their first meetings, in November, 1845, to circulate the document No. 2, and to take immediate steps to facilitate the investment of labour in agricultural operations.

This advice was rejected—the winter was passed by the labouring classes in idle expectation of some vast measure of relief from the Commission.

The erroneous principle of making useless public roads, was at length adopted, instead of agricultural improvements. The Spring cropping time of 1846 came on, without a single effort being made by the Commission in the right direction.

There was a smaller breadth of manured crop prepared, and a greater breadth of exhausting or grain crops than usual. We were, therefore, in a worse position than before, as regarded our future prospects. As the essence of agricultural prosperity consists in maintaining a proper proportion between the quantity of land under exhausting and enriching crops. In April, 1846, I left the Commission, as I could no longer hope to see any permanent good result from their labours.

The Parliament was sitting, in 1846, when it became apparent, that a still more extensive loss of the potato crop had occurred. Several millions of money were placed at the disposal of Government, for the purposes of relief; but, unfortunately, this ample fund which might have regenerated the country, was employed in diverting the labouring class from the only occupations that could have tended to their future independent support.

A comparatively small amount of manure was collected for the lands during the year. The crop of 1847, showed, therefore, a much smaller extent of manured land, whilst an enormously increased surface was covered with exhausting grain crops. And therefore, our embarrassment and *dependence as regards the future*, have been, from this deterioration, progressing in a vastly increasing ratio, each year, since 1845, whilst the capital of both farmers and proprietors has become exhausted; and the ample government fund of eight or nine millions, which might have saved us, has actually tended to increase and perpetuate our destruction, as above shown, besides demoralizing our labouring population. And we now find ourselves in this reduced condition, with the heavy public debts, thus created, hanging over us.

The Poor Law Commissioners may possibly say, but what have we to do with all this?—My answer is, and I assure you I give that answer with the greatest possible respect, that they have the power to take a most important lesson from the whole mismanagement which has occurred; they may thus be rendered cautious in their own acts, and may be induced to avoid pressing this unfortunate country, from inadvertance, still deeper into affliction which might be avoided.

It is clear, that a painfully heavy responsibility has been now thrown upon the Poor Law Commissioners, when one reflects that they must henceforth execute, unaided, the various duties which for the last two years gave sufficient employment,

1. To their own department.
2. To the late Relief department, with all its ramification of local Committees.
3. To the late Finance department.
4. To the Public Works department.
5. To the Commissariat department.
6. And, most important of all, to the liberal grants of public money contributed by the British Treasury.

Every one who reflects that the Poor Law Commissioners have now, single-handed, to meet the difficulties that have hitherto required so vast an organization as the foregoing, will necessarily lend his utmost aid in executing this herculean task.

It is in this spirit that I would urge them at least to render their undertaking one that shall be practicable.

Here it is requisite to define precisely the nature of the task that has been thrown upon them.

I do not look upon that task as fulfilled, if they simply tide over each successive year as has been the case in the two last years, by the mere administration of food accompanied by a large annual loss of life, and a national deteriorating progress amongst all classes.

The real task which the country has a right to find executed, after having granted to your department a first mortgage upon all landed and household property to the full extent of its value where necessary, will be that of establishing forthwith a principle which shall give a reasonable prospect of comfortable sustenance to the poor, coupled with a well grounded hope of a progressive amelioration of the present condition of property.

The Commissioners cannot hope to accomplish this task, unless they can call into full activity the systematic and continuous exertion of all the classes interested.

To accomplish this they have only to remove the fetters which they themselves have so ingeniously placed, as before explained upon individual exertion, in their administration of the Poor Laws.

When they shall have removed those fetters, the admirable principle embodied in the land improvement act will then come into full and beneficent operation; and it is reasonable to hope, that the additional loans which the country may require under this act, from time to time, shall be forthcoming, as the ample local security in each case for such loans, removes all chance of any cost falling upon the Government and nation, which thus affords us the aid of their credit.

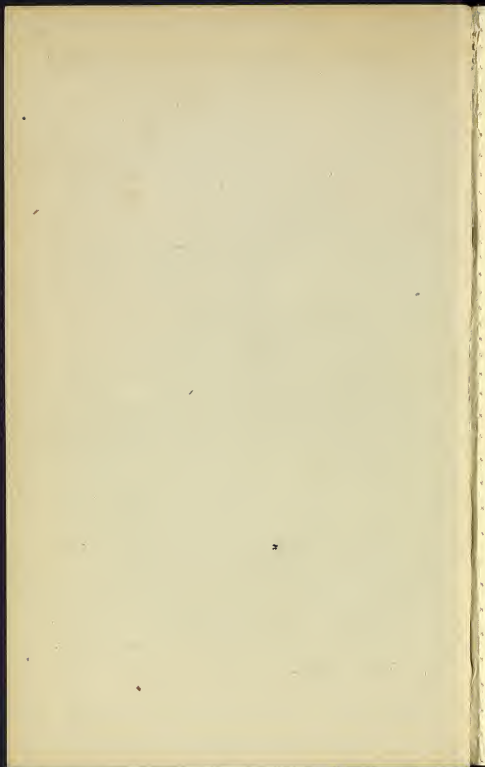
Such an impulse as these measures would produce, judiciously directed by an extensive and permanent application of the principle of sound practical instruction in agriculture, which our present Chief Governor has the high merit of having brought into operation, and sustained by such additional powers as may enable the Government to protect life and property, would at least furnish the chief arrangements that human foresight can point out, as absolutely essential to our present most critical and alarming condition.

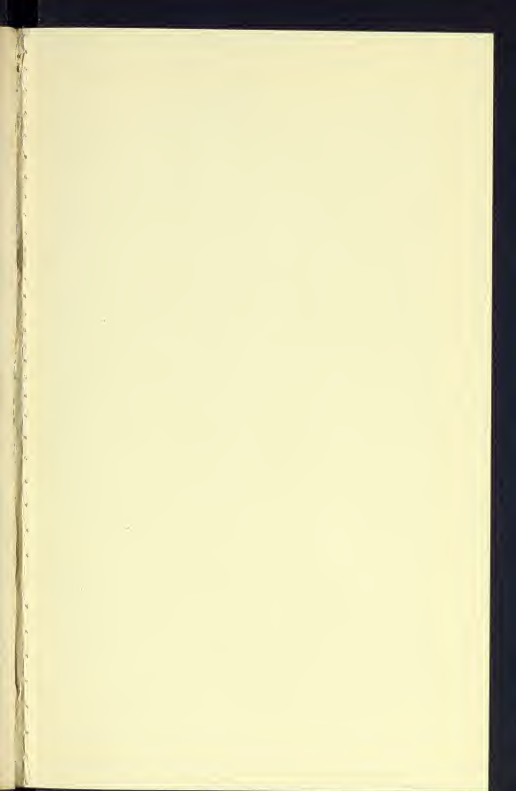
And under their influence, with the blessing of Providence, we might look forward confidently to rise gradually to that position which the capabilities of our country point out, instead of being objects of general compassion and reprobation to all civilized nations.

I have the honour to be, SIR, your obedient servant,

J. P. KENNEDY.

William Stanley, Esq.



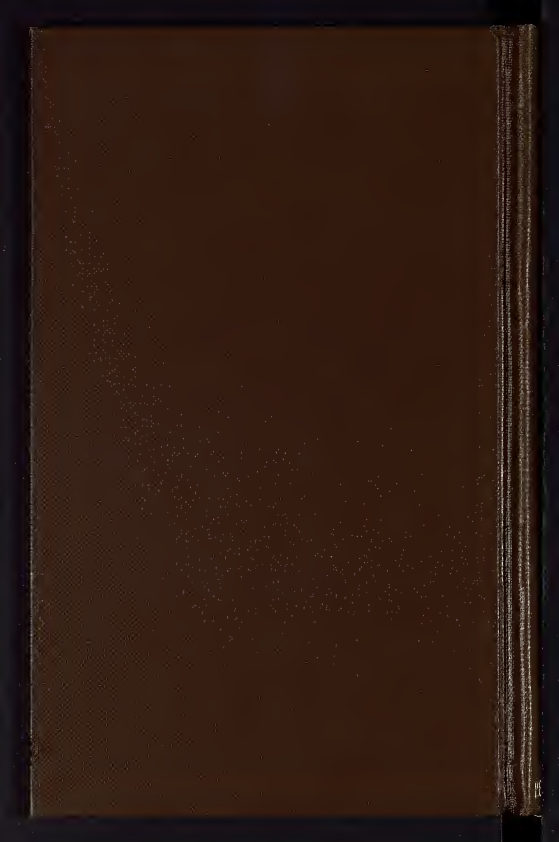


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PLATE 1